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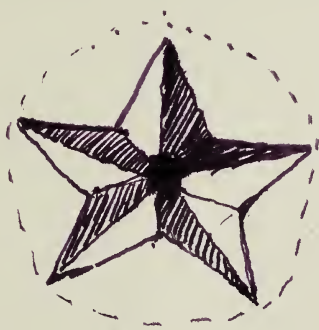


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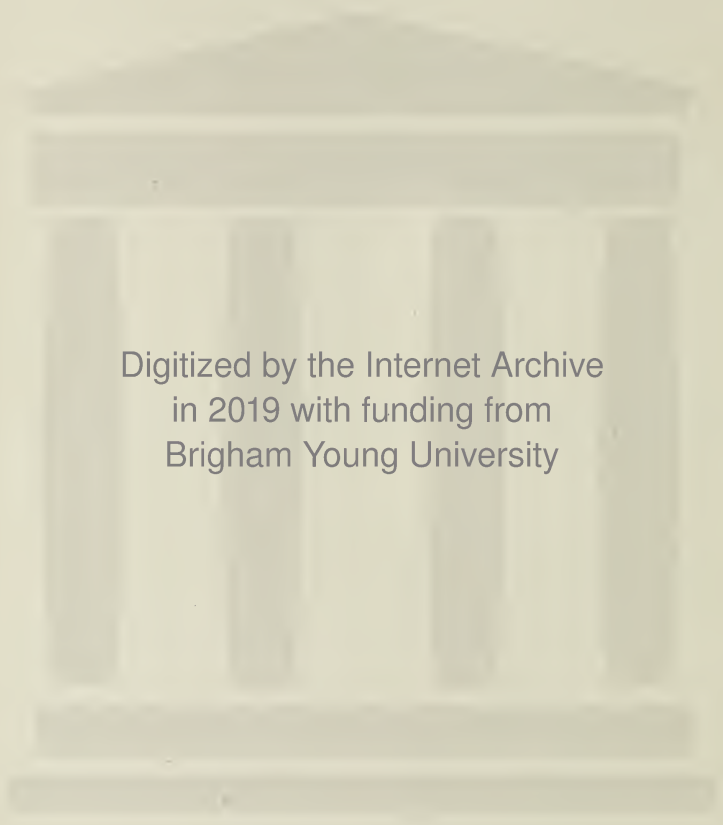
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REVISED ORDINANCES.

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THE  
REVISED ORDINANCES

OF

SALT LAKE CITY,

WITH THE

CITY CHARTER AND AMENDMENTS THERETO.

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FEBRUARY 14, 1888.

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SALT LAKE CITY, UTAH:  
PRINTED BY THE STAR PRINTING COMPANY.

1888.



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# SALT LAKE CITY CHARTER

## AND AMENDMENTS.

An Act Incorporating Great Salt Lake City.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That all that district of country embraced in the following boundaries, to-wit: Beginning at a point one hundred and thirty-six rods north of the Hot Spring, thence west to the west bank of the Jordan River, thence up the west bank thereof to a point directly west from the southwest corner of the five-acre lots according to the present survey, thence east along the south line of said lots to the southeast corner thereof, thence east nine hundred rods, thence north to a point directly east of the beginning, thence west to the aforesaid place of beginning, shall be known and designated by the name and style of Great Salt Lake City; and the inhabitants thereof are hereby constituted a body corporate and politic, by the name and style aforesaid, with perpetual succession; and shall have and use a common seal, which they may change and alter at their pleasure.

SEC. 2. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, and to plead and be impleaded, defend and be defended, in

all courts of law and equity and in all actions whatsoever; to purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of said city, both within and without its corporate boundaries; to improve and protect such property, and do all other things in relation thereto as natural persons.

Wards. SEC. 3. Said city shall be divided into five municipal wards, whose boundaries shall be as prescribed by the city ordinance.

Government. SEC. 4. The municipal government of said city is hereby vested in a City Council, to be composed of a Mayor, five Aldermen, one from each ward, and nine Councilors, who shall have the qualifications of electors in said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors are elected and qualified

Elections. SEC. 5. An election shall be held on the second Monday of February next, and every two years thereafter on said day, at which there shall be elected one Mayor, five Aldermen, nine Councilors, one Marshal, one Treasurer and one Recorder; and the persons respectively receiving the highest number of votes cast in the city for said offices shall be declared elected. When two or more candidates for an elective office shall have an equal number of votes for the same office, the election shall be determined by the City Council.

Officers.

First election SEC. 6. The first election under this act shall be conducted in the following manner, to-wit: The County Clerk of Great Salt Lake County shall cause notice of the time and place, and the number and kind of officers to be chosen, to be advertised in some newspaper of said city, or posted up in five public places therein, at least ten days previous to said election. Three judges shall be selected by the Probate Judge of Great Salt Lake County, at least one week previous to the day of election; said judges shall choose two clerks; and the judges and clerks, before entering upon their duties, shall take and subscribe an oath or affirmation for the faithful dis-



charge thereof. At the first election so held, the polls shall be opened at eight o'clock A. M., and shall close at six o'clock P. M. At the close of the election the judges shall seal up the ballot box and the list of the names of the electors, and transmit the same, within two days, to the County Clerk of Great Salt Lake County. As soon as the returns are received, the County Clerk, in the presence of the Probate Judge, shall unseal and examine them, and furnish, within five days, to each person having the highest number of votes, a certificate of his election.

SEC. 7. The manner of conducting and voting at all subsequent elections to be held under this act, and contesting the same, the keeping of the poll lists, canvassing the votes, and certifying the returns, and all other things relating thereto, shall be as provided by city ordinance. Subsequent elections.

SEC. 8. There shall be appointed an Assessor and Collector, an Auditor of Public Accounts, a Supervisor of Streets, a Surveyor, an Attorney, a Board of School Inspectors, a Sealer of Weights and Measures, a Sexton or keeper of burial grounds, a Chief of Police, Inspectors, Measurers and Weighers, and such other officers and agents as the City Council may from time to time direct and appoint. Officers appointed.

SEC. 9. Every person elected or appointed to any office under the provisions of this act may be removed from such office by a vote of two-thirds of the City Council; and no officer shall be removed except for cause, nor unless furnished with the charges; and shall have an opportunity of being heard in his defense; and the Council shall have power to compel the attendance of witnesses and the production of papers when necessary for the purpose of such trial, and shall proceed, within ten days, to hear and determine upon the merits of the case; and if such officer shall neglect to appear and answer to such charges, then the Council may declare the office vacant. All officers appointed by the Removals.

Council may be removed at any time by vote, at discretion of two-thirds, of said Council; and any officer may be suspended until the disposition of charges preferred against him.

Vacancies,  
how filled.

SEC. 10. Whenever any vacancy shall happen by the death, resignation, or removal of any officer, such vacancy may be filled by the City Council; and every person elected or appointed to an elective, judicial or administrative office, shall, before he enters upon the duties thereof, take and subscribe an oath or affirmation that he will support the Constitution of the United States, the laws of this Territory and the ordinances of this city, and that he will well and truly perform all the duties of his office to the best of his knowledge and ability; and shall file the same, duly certified by the officer before whom it was taken, with the City Recorder.

Oath.

Illegal voting.

SEC. 11. Any person or persons illegally voting at any election under this act, shall be punishable according to law regulating general elections.

Oath of  
Mayor.

SEC. 12. The Mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and shall from time to time give the Council such information and recommend such measures as he may deem advantageous to the city.

Qualification  
and duties of  
Mayor and  
Aldermen.

SEC. 13. The Mayor and Aldermen shall be conservators of the peace within the limits of the city, and shall give bonds and qualify as other Justices of the Peace; and, when so qualified, shall possess the same power and jurisdiction, both in civil and criminal cases arising under the laws of the Territory, and may be commissioned as Justices of the Peace in and for said city by the Governor. They shall account for and pay over to the City Treasurer, within three months, all fines and forfeitures received by them in their judicial capacity; and they shall each keep a docket, subject at

all times to the inspection of the City Council and all other parties interested.

SEC. 14. The Mayor and Aldermen shall have exclusive jurisdiction in all cases arising under the ordinances of the city, and issue such process as may be necessary to carry such ordinances into execution and effect.

SEC. 15. It shall be the duty of the Recorder to make and keep accurate records of all ordinances made by the City Council, and all their proceedings in a corporate capacity; which record shall at all times be open to the inspection of the electors of the city and all other parties interested. He shall have and keep a plat of all surveys within the city, and record all deeds, transfers, or other instruments of writing, that may be presented to him for that purpose; and he is hereby authorized to take the acknowledgment of deeds, transfers and other instruments of writing, and shall perform such other duties as may be required of him by city ordinance.

SEC. 16. The Marshal shall perform such duties as shall be prescribed by the City Council for the preservation of the public peace. All process issued by the Mayor or an Alderman shall be directed to the Marshal or his deputy; and in the execution thereof he shall be governed by such rules and regulations as may be provided by city ordinance, and shall be the principal ministerial officer.

SEC. 17. The Treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures in such manner as the City Council shall direct. He shall pay all moneys that may come to his hand, by virtue of his office, upon orders signed by the Auditor of Public Accounts, and shall report to the City Council a true account of his receipts and disbursements, as they may require.

SEC. 18. The City Council, a majority of whom shall form a quorum to transact business, shall meet at

such times and places as they may direct; and the Mayor, when present, shall preside at said meetings and have a casting vote. In the absence of the Mayor, any Alderman present may be appointed to preside, in such manner as shall be provided by the City Council.

Meetings.

SEC. 19. The City Council shall hold stated meetings, and the Mayor or any two Aldermen may call special meetings, by notice to each of the members of said Council, served personally or left at their usual place of abode. Said Council shall determine the rules of its own proceedings, and be judge of the election and qualification of its own members.

Powers.

SEC. 20. The City Council shall have the management and control of the finances and property, real, personal and mixed, belonging to the corporation.

Further powers.

SEC. 21. The City Council is hereby empowered within the jurisdiction of the city, by ordinance and enforcement thereof, to prevent, punish or prohibit every kind of fraudulent device and practice; all descriptions of gaming, playing at dice, cards, or other games of chance, with or without betting.

May license, tax and regulate.

SEC. 22. To license, tax, regulate, suppress or prohibit billiard tables, pin alleys, nine or ten pin alleys, or tables and ball alleys; to suppress or restrain bawdy and other disorderly houses and groceries; to authorize the destruction and demolition of all instruments and devices used for the purpose of gaming; to prevent any riot, noise, disturbance or disorderly assemblage; and to restrain and punish vagrants, mendicants, street beggars and prostitutes.

Regulate liquor traffic.

SEC. 23. To regulate the selling or giving away of any ardent spirits or other intoxicating liquors by any storekeeper, grocer or trader, to be drunk in any shop, store, grocery, outhouse, yard, garden or other place within the city, except by persons or at places duly licensed; to forbid the selling or giving away of ardent spirits or other intoxicating liquors to any child, apprentice or servant, without the consent of his

or her parent, guardian, master or mistress, or to any Indian,

SEC. 24. To license, regulate or restrain the manufacturers, sellers or venders of spirituous and fermented liquors, tavern-keepers, dram or tippling shop keepers, grocers and keepers of ordinaries, boarding, victualling or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of wines or other liquors, whether ardent, vinous or fermented. Hotels and saloons.

SEC. 25. To regulate, license, suppress or prohibit all exhibitions of common showmen, shows of every kind, concerts or other musical entertainments, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances and all other exhibitions and amusements. Exhibitions.

SEC. 26. To prevent or regulate the rolling of hoops, playing at ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams or horses. Amusements.

SEC. 27. To prevent horse racing, immoderate riding or driving in the streets, and to authorize their being stopped by any person; to punish or prohibit the abuse of animals; to compel persons to put up posts in front of their lots to fasten their horses or other animals; to compel the fastening of horses, mules, oxen or other animals attached to vehicles, while standing or remaining in the street. Fast riding.  
Hitching posts.

SEC. 28. To prevent the encumbering of the streets or sidewalks, lanes, alleys, and public grounds with carriages, tents, wagons, carts, sleighs, horses or other animals, sleds, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, adobies or any material or substance whatever. Encumbering streets.

SEC. 29. To restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to authorize the distraining, impounding or sale of the same, for the Cattle at large.

penalty and costs incurred thereby ; and to impose penalties for any violation of city ordinance in relation thereto ; and to tax, prevent or regulate the keeping of dogs, and to authorize the destruction of the same, when at large, contrary to city ordinance.

Health regula-  
tions. SEC. 30. To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap factory, tannery, stable, barn, privy, sewer, or any unwholesome place, to cleanse, remove or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said city.

Health regula-  
tions. SEC. 31. To direct the location and management of and regulate breweries and tanneries ; and to direct the location, management and construction of, and restrain or prohibit within the city, distilleries, slaughtering establishments and establishments for steaming and rendering lard, oil, tallow, offal and such other substances as can or may be rendered ; and all establishments or places where nauseous, offensive or unwholesome business may be carried on.

Dangerous  
articles. SEC. 32. To direct or prohibit the location and management of houses for the storing of gunpowder, tar, pitch, rosin or other combustible and dangerous materials within the city, and to regulate the keeping and conveying of gunpowder, and the use of candles and lights in barns, stables or outhouses.

Clearing side-  
walks. SEC. 33. To compel persons to keep the snow and ice from the sidewalks in front of the premises owned or occupied by them on East Temple Street, from the Temple Block south to the intersection with Second South Street.

Nuisances. SEC. 34. To abate or remove nuisances, and punish the authors thereof, by penalties of fine and imprisonment ; and to define and declare what are nuisances, and authorize and direct the summary abatement thereof ; and to abate all nuisances which are or may be injurious to the public health, peace or good order.

SEC. 35. To prevent any person from bringing, <sup>Offal.</sup> depositing or having within the limits of the city any dead carcass or any other unwholesome substance, and to require the removal or destruction of the same by any person who shall have placed or caused to be placed upon or near his premises or near any of the streams of this city any such substances, or any putrid or unsound beef, pork, or fish, hides or skins of any kind; and, on his default, to authorize the removal or destruction by any officer of said city.

SEC. 36. To exclusively control, regulate, repair, <sup>Streets.</sup> amend and clear the streets, alleys, bridges, sidewalks or crosswalks; and open, widen, straighten or vacate streets and alleys, and put drains or ditches and sewers therein; and prevent the encumbering of the streets in any manner, and protect the same from any encroachment and injury.

SEC. 37. To lay out, improve and regulate the <sup>Public grounds.</sup> public grounds belonging to the city; to direct and regulate the planting and preserving trees in the streets and public grounds; and to regulate the fencing of lots within the bounds of the city.

SEC. 38. To prevent the ringing of bells, blowing <sup>Street noises.</sup> of horns and bugles, crying of goods and all other noises, performances and devices tending to the collection of persons on the streets or sidewalks by auctioneers and others, for the purpose of business, amusement or otherwise.

SEC. 39. To regulate and determine the times <sup>Bathing.</sup> and places of bathing and swimming in the river or other waters in and adjoining said city, and to prevent any obscene or indecent exhibition, exposure or conduct.

SEC. 40. To make regulations to prevent the <sup>Quarantine.</sup> introduction of contagious diseases into the city; to make quarantine laws and enforce the same within the city and around it, not exceeding twelve miles next beyond the bounds thereof.

- Licenses. SEC. 41. To grant and issue licenses, and direct the manner of issuing and registering thereof, and the fees to be paid therefor. Bonds may be taken, on the granting of licenses, for the due observance of the ordinances or regulations of the City Council.
- Mercantile licenses. SEC. 42. To license, tax and regulate merchants and retailers, auctioneers, distillers, brewers, brokers, pawnbrokers and money changers, and to impose duties upon the sale of goods at auction.
- Peddlers. SEC. 43. To license, tax, regulate or suppress hawkers and peddlers.
- Butchers. SEC. 44. To regulate and license or prohibit butchers, and to revoke their license for malconduct in the course of trade, and to regulate, license and restrain the sale of fresh meat and vegetables in the city; and restrain and punish the forestalling of poultry, fruit and eggs.
- Markets. SEC. 45. To establish and regulate markets and other public buildings, and provide for their erection, determine their location, and authorize their erection in the streets, avenues or any other public place or places in the city, and not exceeding four miles beyond the bounds thereof.
- Census statistics. SEC. 46. To provide for taking the enumeration of the inhabitants of the city; to regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality; and to impose penalties on physicians, sextons and others for any default in the premises.
- Watchmen. SEC. 47. To appoint watchmen and policemen, and prescribe their duties and powers.
- Lumber. SEC. 48. To regulate the measuring and inspection of lumber, shingles, timber, posts, staves and heading, and all building materials and all kinds of mechanical work; and appoint one or more inspectors therefor.
- Hay. SEC. 49. To regulate the weighing and place and manner of selling hay.



SEC 50. To regulate the inspection of tobacco, also of flour, meal, pork, beef and other provisions, and salt to be sold in barrels, hogsheads and other packages.

Provisions.

SEC. 51. To regulate the measuring of wood and weighing of coal, and the place and manner of selling the same.

Wood.

SEC. 52. To regulate the inspection of whisky and other liquors to be sold in barrels, hogsheads or other vessels.

Liquors.

SEC. 53. To appoint inspectors, weighers and gaugers, and regulate their duties and prescribe their fees.

Inspectors.

SEC. 54. To require every merchant, retailer, trader, and dealer in merchandise or property of any description, which is sold by measure or weight, to cause their weights and measures to be sealed by the City Sealer and to be subject to his inspection; the standard of which weights and measures shall be conformable to those established by law.

Weights and measures.

SEC. 55. To establish, make and regulate public pumps, wells, cisterns, hydrants and reservoirs; to distribute, control and so regulate the waters flowing into the city throughout such channels as may be most advantageous, and to prevent the unnecessary waste of water.

Water works.

SEC. 56. To erect street lamps, and regulate the lighting thereof; and from time to time create, alter and extend lamp districts.

Street lamps.

SEC. 57. To establish and regulate public pounds.

Pounds.

SEC. 58. To regulate and license ferries.

Ferries.

SEC. 59. To authorize the taking up and providing for the safe keeping and education, for such periods of time as may be expedient, of all children who are destitute of all proper parental care, wandering about the streets, committing mischief and growing up in mendicancy, ignorance, idleness and vice.

Education.

**Borrow money.** SEC. 60. To borrow money on the credit of the city; *Provided*, That the interest on the aggregate of all the sums borrowed and outstanding shall not exceed one-fourth of the city revenue arising from taxes assessed within the corporation during the preceding year.

**Ordinances.** SEC. 61. The City Council shall have power to make, publish, ordain, amend and repeal all such ordinances, by-laws or police regulations, not contrary to the Constitution of the United States and the laws of this Territory, for the good government and order of the city, as may be necessary and expedient to carry into effect the powers vested in the City Council or any officer of said city by this act; and enforce observance of all rules, ordinances, resolutions, by-laws and police and other regulations, made in pursuance of this act, by penalties not exceeding one hundred dollars for any offense against the same, or imprisonment not exceeding six months, or both.

**Prescribe penalties.**

**Taxes.** SEC. 62. The City Council shall have power within the city, by ordinance, to annually levy and collect taxes on the assessed value of all real or personal estate or property in the city, made taxable by the laws of the Territory, for the following named purposes, to-wit: Not to exceed five mills on the dollar to defray the contingent expenses of the city. Not to exceed five mills on the dollar to open, improve and keep in repair the streets of the city. Not to exceed one and one-quarter mills on the dollar to control the waters of said city; and they shall annually apportion and apply said taxes as shall in their judgment be deemed most expedient.

**Taxes.** SEC. 63. When the City Council shall deem it expedient for any especial purpose to borrow money, the interest on which shall not exceed one-fourth of the city revenue arising from taxes of the preceding year, the amount of taxes shall not be increased.

**Street taxes** SEC. 64. To require, and it is hereby made the duty of every male resident of the city, over the age

of eighteen and under the age of fifty years, to labor one day in each year upon the streets; but every person may at his option pay one dollar and fifty cents for the day he shall be so bound to labor; *Provided*, It be paid within five days from the time he shall be notified by the Street Supervisor. In default of the payment as aforesaid, the same may be collected as other taxes.

SEC. 65. The City Council shall have power by ordinance to regulate the form of assessment rolls, and prescribe the duties and define the powers of Assessors and Collectors. The annual assessment rolls shall be returned by the Assessor on or before the first Monday of April in each year; but the time may be extended or additions made thereto by order of the City Council. On the return thereof the City Council shall fix a day for hearing objections thereto, and any person feeling aggrieved by the assessment of his property may appear at the time specified and make his objection which shall be heard and determined upon by the City Council; and they shall have power to alter, add to, take from and otherwise correct and revise said assessment roll.

SEC. 66. The Collector shall be furnished, within thirty days after the assessment rolls are corrected, with a list of the taxes to be collected; and if not paid, the Collector shall have power to collect said taxes with interest and cost by suit in the corporate name, or by distress and sale of any property belonging to persons so indebted. The Assessor's roll shall in all cases be evidence on the part of the corporation.

SEC. 67. All taxes and assessments, general and special, shall be collected by the Collector or Collectors in the same manner and with the same power and authority as are given by the law to collectors of County and Territorial taxes; *Provided*, the Council shall have power to prescribe by city ordinance the powers, duties and liabilities of Assessors and Collectors.

Fire regula-  
tions.

SEC. 68. The City Council shall have power to make, ordain and establish all such general regulations for the prevention and extinguishment of fires, fixing of chimneys, flues and stove pipes, as they may deem expedient; to procure fire engines and other apparatus used for the extinguishment of the same, and have the charge and control of, and provide, fit up and secure engine houses and other places for the keeping and preserving the same; to organize fire, hose and ladder companies, appoint foremen therefor and prescribe their duties, and make rules and regulations for their government, and to impose reasonable fines and forfeitures for a violation of the same.

School In-  
spectors.

SEC. 69. The City Council shall have power to provide for the election of trustees; to appoint a Board of School Inspectors and to prescribe the powers and duties of the same, and to enact such ordinances as may be necessary to carry their duties and powers into effect.

Police.

SEC. 70. The City Council shall have exclusive authority and power to establish and regulate the Police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance; to provide for the recovery of such fines and forfeitures and the enforcement of such penalties, and to pass, make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for carrying into effect and execution the powers specified in this act, and for the peace, good order, regulation, convenience and cleanliness of the city, for the protection of property therein from destruction by fire or otherwise, and for the health, safety and happiness of the inhabitants thereof.

Ordinances.

SEC. 71. All ordinances passed by the City Council shall, within one month after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city.

SEC. 72. All ordinances of the city may be proven by the seal of the corporation, and, when printed or published in book form, purporting to be printed or published by the authority of the City Council, the same shall be received in evidence in all courts or places without further proof. Publication.

SEC. 73. The City Council shall have power, from time to time, to require further and other duties of all officers whose duties are herein provided; and prescribe the duties and powers of all officers appointed or elected under this act, whose duties herein are not specifically mentioned, and arrange the fees and fix the compensation of all officers, jurors, witnesses and others. They may also require bonds to be given to Great Salt Lake City by all officers, for the faithful performance of their duties. Duties of officers.  
Bonds.

SEC 74. All persons appointed under this act to the office of Recorder, Marshal, Attorney, Treasurer, Collector, Assessor, Auditor of Public Accounts, Surveyor or Street Commissioner, shall be commissioned by warrant under the corporate seal, signed by the Mayor or presiding officer of the City Council and Recorder. Commissions.

SEC. 75. If any person, having been an officer in Great Salt Lake City, shall not, within ten days after notification and request, deliver to his successor in office all the property, papers and effects of every description in his possession belonging to said city or appertaining to the office he held, he shall forfeit and pay for the use of the city not exceeding one hundred dollars, besides all damages caused by his neglect or refusal so to deliver. City property.

SEC. 76. When it shall be necessary to take private property for opening, widening or altering any public street, lane, avenue or alley, the corporation shall make a just compensation therefor to the person whose property is so taken; and if the amount of such compensation cannot be agreed upon, the Mayor shall cause Streets.

the same to be ascertained by a jury of six disinterested men, who shall be inhabitants of the city.

Jurors.

SEC. 77. All jurors empaneled to inquire into the amounts of benefit or damages that shall happen to the owners of property so proposed to be taken, shall first be sworn to that effect, and shall return to the Mayor or presiding officer of the City Council their inquest in writing, signed by each juror.

Cemetery.

SEC. 78. The cemetery lots which have or may hereafter be laid out and sold by said city for private places of burial shall, with their appurtenances, forever be exempt from execution or attachment.

Old Ordinances.

SEC. 79. All ordinances, resolutions and regulations now in force in Great Salt Lake City, and not inconsistent with this act, shall remain in force until altered, modified or repealed by the City Council after this act shall take effect.

Actions continued.

SEC. 80. All actions, rights, fines, penalties and forfeitures, in suit or otherwise, which have accrued under the ordinance incorporating Great Salt Lake City, shall be vested in and prosecuted by the corporation hereby created.

Surveys validated.

SEC. 81. All plots and surveys of lands, lots or other places within said city, heretofore surveyed by the Surveyor, and all plots and surveys of lands, lots or other places that may be hereafter surveyed, and all certificates of surveys given by him shall be deemed valid by this act.

Property vested.

SEC. 82. All property, real, personal or mixed, now belonging to Great Salt Lake City, is hereby vested in the corporation created by this act; and the officers of said corporation now in office shall respectively continue in the same, until superseded in conformity to the provisions hereof, but shall be governed by this act, which shall be in force from and after its passage.

Officers continued.

Public Act.

SEC. 83. This act shall be deemed a public act, and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places.

SEC. 84. This act shall not invalidate any act done by the present City Council of Great Salt Lake City, or by its officers, nor divest their successors under this act of any rights, property or otherwise, or liability which may have accrued to or been created by said Council prior to the passage of this act. Rights reserved.

SEC. 85. All officers of the city, created conservators of the peace by this act, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace; commit for examination, and, if necessary, detain such persons in custody forty-eight hours in the city prison or other safe place; and shall have and exercise such other powers, as conservators of the peace, as the City Council may prescribe. Powers of arrest.

SEC. 86. Nothing in this act shall be so construed as to deprive the present City Council of Great Salt Lake City of any power or authority conferred upon them by the ordinance incorporating said city, and the act amendatory thereto; but said City Council shall possess, exercise and enjoy all the powers and authority heretofore conferred upon them, except so far as such powers and authority have been expressly modified or repealed by this act, until said City Council are superseded by the election and qualification of their successors under this act. City Council.

SEC. 87. That "An ordinance to incorporate Great Salt Lake City," approved January 19, 1851, be and is hereby repealed; and "An act in relation to the assessment, collection and expenditure of a tax for road and other purposes, within incorporated cities," approved June 4, 1853, so far as the same applies to Great Salt Lake City, be and is hereby repealed. Acts repealed.

SEC. 88. The City Council shall publish, in at least one newspaper published in Great Salt Lake City, a quarterly statement of the amount of city revenue, Quarterly Statement.

specifying in said statement from whence derived and for what disbursed.

Approved January 20, 1860.

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An Act Amending the Charter of Great Salt Lake City.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:*

Livery stables. First.—That the City Council of Great Salt Lake City shall have power and authority to license, tax and regulate livery stables.

Hackmen. Second.—To license, tax and suppress hackmen, draymen, carters, porters, omnibus drivers, cabmen, packers, carmen and all others who may pursue like occupations, with or without vehicles, and prescribe their compensation.

Hospitals. Third.—To establish, erect and control hospitals, infirmaries and medical colleges; to purchase grounds for their erection and improve and adorn the same; and license, control and regulate physicians and surgeons.

Physicians. Fourth.—To purchase and improve suitable grounds for a house of correction; to erect buildings thereon and adopt such rules and regulations for the government and punishment of offenders therein, as said Council may from time to time deem expedient.

House of Correction. Fifth.—To direct and control the location of railroad tracks and depot grounds within the city and regulate or prohibit the use of locomotive engines thereon, and may require the cars to be used within the inhabited portions thereof to be drawn or propelled by other power than that of steam.

Railroad tracks. Sixth.—To regulate and control the location of gas works, canals, telegraph poles, and all improvements of similar nature.

Gas works. SEC. 2 The City Council shall have power to levy and collect on real estate (or land claims and im-

Streets and sidewalks.



provements thereon) in any district or division benefited, within the limits of said city, a sufficient tax to defray the expense of leveling, paving, macadamizing or planking and opening and keeping in repair the streets and sidewalks, of conducting sewers and drains, and keeping the same in repair, and of erecting lamps and lighting the streets in such respective districts or divisions; *Provided*, the money thus raised shall be exclusively expended for such purpose in the district where such taxes are assessed, and by such person or persons as the City Council may appoint. The amount to be assessed for any such improvement shall be determined by the City Council, who shall appoint three Commissioners, reputable citizens, to make such assessment, who shall be sworn to faithfully and impartially execute their duties.

Commissioners.

Before entering on their duties the Commissioners shall give six days' notice of the time and place of meeting, to all persons interested. The Commissioners shall assess the amount directed by the City Council on the real estate (or land claims and improvements) by them deemed benefited by any such improvement, in proportion to the benefit resulting thereto.

Commissioners to assess.

When the Commissioners shall have completed their assessment and made a correct copy thereof, they shall deliver the same to the City Recorder with thirty days after their appointment, signed by all the Commissioners.

Assessment List.

The City Recorder shall cause a notice to be published to all persons interested, of the completion of the assessment, and the time and place shall be designated therein when the City Council shall hear appeals and objections and correct or confirm said assessment.

Notice.

When the said assessment shall have been completed, the City Recorder shall, within ten days thereafter, make a correct tax list, which shall be delivered to the Collector or any authorized agent appointed by

Tax List.

Collections. the City Council, who shall collect said taxes within such time as may be prescribed by said Council.

New Assessment.

If any assessment is set aside by order of any court, the City Council may cause a new one to be made in like manner for the same purpose, for the collection of the amount so assessed.

Additional Assessment.

If the first assessment prove insufficient, another may be made in the same manner, or, if too large a sum shall at any time be raised, the excess shall be refunded, ratably, to those by whom it was paid.

Approved January 14, 1865.

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An Act Extending the Boundaries of Great Salt Lake City Corporation.

City Limits extended and defined.

*Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the boundaries of Great Salt Lake City are hereby extended as follows: commencing at the northwest corner of Great Salt Lake City Corporation limits; thence west three hundred and twenty rods; thence due south to a point opposite the southern boundary of the corporation line of Great Salt Lake City; thence east to the river Jordan; and the boundary lines of the city corporation of Great Salt Lake City are hereby established in accordance with the provisions of this act.

Approved January 18, 1867.

An Act Changing the Name of Great Salt Lake City and  
Great Salt Lake County.

*Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the name and style of Great Salt Lake City, wherever it occurs in the charter and on the corporate seal of said city and elsewhere, shall hereafter be Salt Lake City; and that all questions, rights, property and interests pending and accrued under the former name and style shall be continued and deemed of the same force and virtue under the new name and style of Salt Lake City, and that the name and style of Great Salt Lake County, wherever it occurs in the records and on the seal of said county and elsewhere, shall hereafter be Salt Lake County; and that all questions, rights, property and interests pending and accrued under the former name and style shall be continued and deemed of the same force and virtue under the new name and style of Salt Lake County.

Change of  
City title.

Of County  
title.

Approved January 29, 1868.

An Act Amending the Charters of Incorporated Cities.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the Mayor and Aldermen of each incorporated city shall be Justices of the Peace within their respective cities, and be commissioned as such by the Governor, and shall have jurisdiction in cases arising under the rules, laws and ordinances thereof; also in cases arising under the laws of the Territory; and all fines, penalties and forfeitures collected by them, arising under the ordinances of said city, shall be paid into the treasuries of their respective cities; and all fines, penalties and forfeitures collected by them, arising under the laws of the Ter-

Jurisdiction  
of Justices.

Fines.

ritory, shall be paid into their respective county treasuries.

Actions. SEC. 2. All cases arises under the ordinances of any city may be commenced by affidavit and warrant issued thereon; *Provided*, That any officer having probable cause to believe an offense has been committed, may Arrests. arrest any supposed offender before affidavit filed or warrant issued. The affidavit shall be sufficient if it refer to the ordinance by its title and date.

Violation of Ordinances. SEC. 3. The City Council of any city shall have power to provide by ordinance for imprisonment and forfeiture in cases of violation of city ordinances; *Provided*, That Justices of the Peace within and for the respective cities shall have exclusive jurisdiction in all cases of fines for crimes or misdemeanors arising under the ordinances of the city, where the fine does not exceed one hundred dollars, or imprisonment not exceeding six months, or both fine and imprisonment.

Schools. SEC. 4. To provide for public schools or other institutions of learning, for officers and teachers, determine their powers and duties, provide for school fund by direct tax or otherwise, and how the same shall be collected and disbursed.

Fires. SEC. 5. The City Councils of the respective cities, for the purpose of protecting property against loss by fire, may by ordinance define the limits of fire districts, and prohibit the erection of wooden buildings therein.

Licenses. SEC. 6. To license, tax and regulate lawyers, surgeons, physicians, dentists and other like professions, and prevent, by penalties, quacks and other pretenders.

Licenses. SEC. 7. To license, tax and regulate bankers, agents, expressmen, express companies, telegraphers, photographers, assayers, smelters, crushers, and other like occupations or pursuits.

Games. SEC. 8. The City Councils of the respective cities are hereby empowered by ordinance to prevent, punish or prohibit every kind of fraudulent device and prac-

tice and all games of hazard, and punish the keepers of houses wherein the same is conducted.

SEC. 9. To license, tax, regulate and suppress billiard tables, pin alleys, or tables and ball alleys; to repress or restrain bawdy and other disorderly houses and punish the keepers thereof.

Games.

Disorderly houses.

SEC. 10. So much of the city charters of the several cities as conflict with the foregoing sections of the act are hereby repealed.

Repeal.

SEC. 11. An act entitled "An act extending the boundaries of Great Salt Lake City Corporation," approved January 18, 1867, is hereby amended by inserting after the words river Jordan, thence north-erly down the west bank of said river Jordan to a point west of the south line of Tenth South Street; thence east along said south line to the east line of the corporate limits; and so much of section one of said act as conflicts with this section is hereby repealed.

Boundaries of Satt Lake City.

Approved February 15, 1872.

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An Act Amending the Charters of Incorporated Cities.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the City Councils of the respective cities of this Territory are hereby empowered, by ordinance and enforcement thereof, to compel persons to keep the side-walks in front of their respective places of business free from obstructions.

Power to compel the keep-  
ing of side-  
walks free  
from obstruc-  
tions.

SEC. 2. To construct water works and reservoirs, lay water pipes, erect hydrants, and to keep the same in repair, to supply the said cities with water, and regulate, control and protect the same, and for such purpose the City Council of any city shall have power to levy and collect a tax on real estate in any district or division of such city specially benefited by any such improvement,

Water works.

Tax to pay for,  
how levied.

sufficient to defray the expenses thereof; *Provided*, that an amount equivalent to the money thus raised shall be expended for such purposes exclusively within the district where such taxes are assessed and by such person or persons as said City Council may appoint. The City Council of the city where such tax may be levied, shall determine the amount to be assessed for any of the purposes above named; and the assessment shall be apportioned in the district to be benefited by the improvement in which such assessment is made, either according to the extent of frontage of the property to be assessed, or upon real estate, including the improvements thereon; and in proportion to the benefits respectively resulting thereto by virtue of such improvement, as may be directed by such City Council, but in no case shall such assessment exceed one-half of one per cent. on the property assessed; *Provided*, That if the apportionment is according to frontage, due allowance may be made in case of corner lots. Such City Council shall appoint three Commissioners, reputable citizens, who shall be sworn to faithfully and impartially execute their duties. Before entering upon their duties, the Commissioners shall give at least six days' notice in some newspaper of general circulation in such city, or otherwise, as may be directed by such City Council, to all persons interested. The Commissioners shall assess the amount according to the apportionment previously directed by such City Council, on the real estate benefited by such improvement. When the Commissioners shall have completed their assessment and made a correct copy thereof, they shall deliver the same to the City Recorder of such city, within thirty days after their appointment, signed by all the Commissioners. The City Recorder shall cause a notice to be published to all persons interested, of the completion of the assessment, and the time and place shall be designated therein when such City Council shall hear appeals and objections and correct and affirm said assessment. When said assess-

Three Commissioners to be appointed to assess water tax.

Their duties.

Duty of Recorder.

ment shall have been completed, such City Recorder shall, within ten days thereafter, make a correct tax list, which shall be delivered to the City Collector of said city, or any other authorized agent appointed by such City Council, who shall immediately proceed to collect such taxes, with the same authority, and in like manner, as other taxes are collected in such city. If the first assessment prove insufficient, another may be made in the same manner, or, if too large a sum shall at any time be raised, the excess shall be refunded, ratably, to those by whom it was paid.

Excess re-  
funded.

SEC. 3. When improvements, of the kind mentioned in the preceding section, have been made in any city, and the expense thereof has been paid out of the general funds of such city, or the obligation therefor has been incurred by it, the City Council thereof shall cause to be levied and collected a sufficient tax on the real estate especially benefited by any such improvement or improvements, for the purpose of reimbursing such city for the costs thereof; the levy and collection of such tax to be made in the manner provided in the preceding section.

Expense paid  
by City reim-  
bursed, how.

SEC. 4. Every assessment made in accordance with the foregoing provisions, from the date of the completion thereof, shall be a lien upon the real estate upon which it is levied.

Assessment a  
lien on real  
estate.

SEC. 5. That in convictions for misdemeanor, (as defined by the Penal Code of Utah, approved February 18, 1876,) committed within the limits of any city, where the arrest is made by an officer of such city, the fines accruing therefrom shall be paid into the treasury of said city, and the imprisonment shall be in the city jail thereof, or in the county jail at the expense of such city.

Misdemeanors  
committed in  
City limits.

SEC. 6. All City Recorders, Treasurers, Marshals, and Assessors and Collectors, shall be elected by the people in the same manner and for the same term as members of the City Council are elected.

City officers,  
how elected.

Members of  
City Council  
shall not hold  
office, when.

SEC. 7. No member of any City Council shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected and for one year after the expiration of such term.

Approved February 22, 1878.

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An Act Providing for the Registration of Voters, and to further Regulate the Manner of Conducting Elections in this Territory.

Assessors con-  
stitute regis-  
tration officers.

May appoint  
deputy.

Duty of.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the assessors in their respective counties are hereby constituted the registration officers, and they are required to appoint a resident deputy in each precinct, to assist in carrying out the provisions of this act, and before the first Monday in June, 1878, in person or by deputy, they shall visit every dwelling in each precinct, and make careful inquiry as to any or all persons entitled to vote, and each assessor or deputy, in all cases, shall ascertain upon what ground such person claims to be a voter, and he shall require each person entitled to vote and desiring to be registered, to take and subscribe in substance the following oath or affirmation:

TERRITORY OF UTAH, }  
County———— } ss.

Oath of voter.

I,———, being duly sworn, depose and say that I am over twenty-one years of age and have resided in the Territory of Utah for six months, and in the precinct of——— one month next preceding the date hereof, and (if a male,) am a "native born" or "naturalized" (as the case may be,) citizen of the United States, and a taxpayer in this Territory, (or, if



a female,) I am "native born" or "naturalized" or the "wife," "widow," or "daughter," (as the case be,) of a native born or naturalized citizen of the United States.

Subscribed and sworn to before me this——day  
of——A. D. 18—.

\_\_\_\_\_  
Assessor.

Upon the receipt of such affidavit, the Assessor, as aforesaid, shall place the name of such voter upon the register list of the voters of the county.

SEC. 2. It shall also be the duty of the assessor Assessor, duty of. of each county, in person or by deputy, at the time of making the annual assessment for taxes in each year, beginning in 1879, to take up the transcript of the next preceding registration list, and proceed to the revision of the same, and for this purpose he shall Shall make list of voters. visit every dwelling house in each precinct, and make careful inquiry if any person, whose name is on his list, has died, or removed from the precinct, or is otherwise disqualified as a voter of such precinct, and if so, to erase the same therefrom, or whether any qualified voter resides therein, whose name is not on his list, and if so, to add the same thereto, in the manner as provided in the preceding section.

SEC. 3. It shall also be the duty of each assessor, Same. in person or by deputy, during the week commencing the first Monday in June of each year, at his office, to enter on his registry list the name of any voter that may have been omitted, on such voter appearing and complying with the provision of the first section of this act required of voters for registration purposes.

SEC. 4. Upon the completion of the list, it shall Same. be the duty of each assessor as aforesaid, to proceed to make out a list in alphabetical order for each precinct, containing the names of all the registered voters of such precinct, and shall, on or before the first day of July in

each year, deliver all of said lists and affidavits to the clerk of the county court.

Clerk of county court shall deliver registry list to assessor.

SEC. 5. The clerk of the county court shall deliver to the assessor the registry lists whenever necessary for the revision thereof, or adding names thereto, and the assessor, in person or by deputy, shall, during the week commencing the second Monday in September in the year 1878, and every second year thereafter, enter names of voters on the registry list in the manner provided in Section 3 of this act, and upon the list being completed, proceed as required by Section 4 of this act; *Provided*, That in such case he shall deliver the list and affidavits on or before the tenth day of October in such year.

Voters removing.

SEC. 6. Voters removing from one election precinct to another in the same county may appear before the assessor at any time previous to the delivery of the registry list to the clerk of the county court, and have their names erased therefrom, and they may thereupon have their names registered in the precinct to which they may remove.

Clerk shall preserve lists, etc.

SEC. 7. The clerk of the county court shall file and carefully preserve all said affidavits and registry lists, and shall make a copy of each precinct registry list, and cause the same to be posted up at least fifteen days before any election, at or near the place of election, and shall make and transmit another copy to the judges of election.

Clerk shall give notice of election.

SEC. 8. The clerk of the county court shall cause to be printed, or written, a notice which shall designate the offices to be filled, and stating that the election will commence at————(designating the place for holding the polls) one hour after sunrise and continue until sunset on the——day of——18——(naming the day of election). Dated at————  
A. D. 18——

Form of notice.

—————

Clerk of the county court.

A copy of which shall be posted up, at least fifteen days before the election, in three public places in said precinct, best calculated to give notice to all the voters. It shall also be the duty of the clerk of the county court to give notice on the lists so posted, that the senior justices of the peace for said precinct will hear objections to the right to vote, of any person registered, until sunset of the fifth day preceding the day of election. Said objections shall be made by a qualified voter in writing and delivered to the said justice, who shall issue a written notice to the person objected to, stating the place, day and hour when the objection will be heard. The person making the objection shall serve, or cause to be served, said notice upon the person objected to, and shall also make returns of such service to the justice, before whom the objection shall be heard. Upon the hearing of the case, if said justice shall find that the person objected to is not a qualified voter, he shall, within three days prior to the election, transmit a certified list of the names of all such unqualified persons to the judges of election, and said judges shall strike such names from the registry list before the opening of the polls.

Copy of notice to be posted.

Notice that Justice will hear objections.

Objection, how heard and determined.

SEC. 9. The county court shall, at its first session in June of each year, appoint three capable and discreet persons, in each precinct in the county, one at least of whom shall be of the political party that was in the minority at the last previous election, if any such party there be in such precinct, to act as judges of general and special elections; and they shall designate one of the persons appointed to preside, and the other two to act as clerks of said elections. And the clerk of said courts shall make out certificates of said appointments and transmit the same by mail or other safe conveyance to the persons so appointed, who, previous to entering upon said office, shall take and subscribe an oath, to the effect that they will well and faithfully perform all the duties thereof to the best of their ability, and that

Judges of election, how appointed.

they will studiously endeavor to prevent any fraud, deceit or abuse at any election over which they may preside. If, in any precinct, any of such judges decline to serve or fail to appear, the voters of said precinct first assembled on the day of election, to the number of six, at or immediately after the time designated for opening the polls, may elect a judge or judges to fill the vacancy, and the persons so elected shall qualify as hereinbefore provided.

Ballot boxes, books and stationery, how provided, etc.

SEC. 10. The county court shall provide the necessary books, blanks, stationery and ballot boxes, which ballot boxes shall be made of galvanized iron of suitable size, with Yale or other safe lock, and two keys. One of the keys to be kept by the judges of election, and one by the clerk of the county court; *Provided*, If any county has good and substantial ballot boxes with Yale locks and keys, the same may be used. There shall be an opening through the lid of each ballot box, of sufficient size to admit a single ballot.

Envelopes for election purposes to be furnished by County Court.

SEC. 11. The county court shall furnish the judges of elections, in every precinct, with a sufficient number of plain envelopes for election purposes. Said envelopes shall be uniform in color and size, without any marks, writing, printing, or device upon them; and no other kind shall be used at any given election. Before opening the polls, the ballot box shall be carefully and publicly examined by the judges of election, who shall satisfy themselves that nothing is therein. It shall then be locked and the key thereof delivered to the presiding judge; and said ballot box shall not be opened during the election.

Ballot box to be examined.

Clerk of Election, how designated.

SEC. 12. At the opening of the polls at all general or special elections, the judges of election, for their respective precincts, shall designate one of the judges, acting as clerk, who shall have in custody the registry of voters, and shall make the entries therein required by law; the other of said judges acting as

Duty of.

clerk, shall write the name of each person voting, and opposite [to] it, the number of the vote.

SEC. 13. Every voter shall designate on a single ballot, written or printed, the name of the person or persons voted for, with a pertinent designation of the office to be filled. And when any question is to be decided, in the affirmative or negative, he shall state the proposition at the bottom of the ballot, and write thereunder "Yes" or "No," as he may desire to vote thereon; which ballot shall be neatly folded and placed in one of the envelopes hereinbefore provided for, and delivered to the presiding judge of election, who shall, in the presence of the voter, on the name of the proposed voter being found on the registry list, and on all challenges to such vote being decided in favor of such voter, deposit it [in] the ballot box, without any mark whatever being placed on such envelope; otherwise, the ballot shall be rejected.

Ballots.

Mode of voting.

SEC. 14. Whenever any ballot shall be deposited in the ballot box, the judge having the registry list shall write the word "Voted" opposite the name of the person casting the vote, and the other judge acting as clerk shall write the name of the voter, and the number of the vote upon a list, to be made by such judge.

When ballot is deposited, duty of election officers.

SEC. 15. As soon as the polls shall be closed, the judges of election shall immediately proceed to canvass the votes cast at such election, and continue without adjournment until completed. And all candidates voted for may be present, either in person or by representative, to witness said canvass. If any envelope contains two or more ballots of the same kind, folded together, one only shall be counted.

Canvass of votes polled.

Who may witness same.

SEC. 16. The canvass shall commence by the judges who have acted as clerks of the election comparing their respective lists and ascertaining from said lists the number of votes cast. The box shall then be opened and the ballots therein taken out and counted

Canvass of votes.

How commenced and conducted.

by the judges, and the judges, acting as clerks, shall each make a list of all the persons voted for. The presiding judge shall then proceed to open the ballots and call off therefrom the names of the persons voted for, and the offices they are intended to fill; and the judges, acting as clerks, shall take an account of the same upon their lists; and all the ballots shall be immediately returned to the ballot box; and the ballot box shall be locked and securely sealed.

Result of canvass, how certified.

SEC. 17. After the canvass shall have been completed, the judges of election shall add up and determine the number of votes cast for each person, for the several offices, which result shall be placed on the list made by the judges acting as clerks of the election, and the judges shall thereupon certify to the same, and forward all the lists securely sealed, together with the ballot box, to the clerk of the county court, by a qualified voter of the county, who shall, before taking the same, take and subscribe an oath to the effect that he will deliver the same to the said clerk without unnecessary delay, and that he will use his utmost ability to prevent any interference whatever therewith by any person whatsoever.

Returns, examination of.

SEC. 18. On receipt of the ballot box, and returns of election, the clerk of the county court, in the presence of at least one member of the county court, who is not publicly known as a candidate voted for at such election, shall break the seal of the returns, and all candidates may be present as provided in Section 15 of this act, and said clerk and member or members of the county court shall carefully examine the returns; and if no irregularity or discrepancy appear therein affecting the result of the election of any candidate, they shall accept said returns as correct; but if the right of any person voted for, for any office, is in any way affected, then the clerk and said members of the county court shall open the ballots from said precinct and canvass the same, so far as to determine the rights

of the person whose office may be affected. They may also cause to appear before them any persons whom they may deem proper, and take their testimony in relation to said election, in said precinct.

SEC. 19. If there shall be any disagreement in the returns, in regard to the number of votes cast for any Territorial officer, or any officer whose election is affected by the votes of more counties than one, then said members of the county court shall canvass the votes, and proceed as herein directed. After the completion of the canvass, said member or members and clerk of the county court shall declare the result thereof, and the clerk of the county court shall immediately make out and transmit a certificate of election to each person elected to any precinct or county office; *Provided*, That whenever a tie shall occur between two or more persons for the same office, the clerk of the county court shall notify each of them thereof, and the same shall be decided by lot in the presence and under the direction of the county court. The notice herein provided for shall state the time and place and the manner in which the tie is to be decided. If either of the persons notified fail to appear by self or agent, such person shall be deemed to have waived all right to the office, and the clerk shall issue the election certificate to the person appearing; if neither of them appear by self or agent, the office shall be deemed vacant, and may be filled as in case of other vacancies.

SEC. 20. Immediately after the inspection of the ballots in any ballot box, the ballots shall be returned into the box, which shall be locked and securely sealed, and the boxes shall be so preserved for ten days after the result of the election has been declared, and immediately after the expiration of ten days, and no notice of a contest being filed, requiring further delay, the clerk of the county court shall, in the presence of at least one of the members of the county court and such

Returns, disagreement in.

In case of a tie.

Ballots, how disposed of after election.

candidates voted for as may be present, open each of the ballot boxes and destroy all ballots contained therein.

Results of election, how certified.

SEC. 21. The clerk of the county court shall also, as soon as possible after the result of the election has been so determined, make out a general abstract thereof in triplicate, and certify to the correctness thereof, one of which he shall file, and one of which he shall post up in his office, and forward to the Secretary of the Territory a certified copy of the names of the persons voted for and the number of votes each has received for Territorial offices. The envelope containing said abstract shall be plainly marked "Election returns from \_\_\_\_\_ County." (Filling in the name of the county as the case may be.)

Returns, how canvassed.

SEC. 22. As soon as all the returns are received by the Secretary of the Territory he shall, in the presence of the Governor, unseal and canvass the same, and make an abstract thereof, and the Secretary shall, within ten days thereafter, make out and transmit a certificate of election to each member of the Legislature and Territorial officers elected.

Certificate of election.

Compensation of Assessor and election officers.

SEC. 23 The assessors and their deputies shall receive such compensation for their services, required by this act, as the county court shall determine; and the judges of election shall receive for their services thirty cents per hour for all services rendered in conducting elections and canvassing votes, and each of said officers is hereby authorized to administer oaths whenever necessary to carry into effect the provisions of this act.

Judges of Election, compensation of.

Municipal elections.

SEC. 24. The judges of election shall receive for their services three dollars per day; and thirty cents per hour for all services rendered in canvassing votes. All municipal elections shall be held and conducted, and the returns and canvass of votes thereof made substantially in accordance with the provisions of this act,



and it shall be the duty of the City Councils of their respective cities to provide for the registering of voters and the appointment or election of all officers necessary, and to furnish all necessary appliances for the carrying out of the provisions of this section; and to aid them therein, the clerk of the county court, on the demand of the Recorder of any municipal corporation, shall, on payment of the proper fees, furnish a certified copy of the registry list of voters of any precinct, or part thereof, within any such municipality.

SEC. 25. Any omission or irregularity of any assessor or other officer, pertaining to election matters, shall not invalidate any election or authorize the rejection of any legal votes cast, except to the extent that such omission or irregularity shall have prevented a fair vote.

Omissions and irregularities.

SEC. 26. Any person who shall falsely make any return, or falsely make any certificate of election returns, or who shall in any manner procure or assist in the making of the same or cause the same to be done, or who shall in any manner do or cause any fraud in any election, or having entered upon any of the offices or duties provided for in this act, shall wilfully fail or neglect to perform any of the duties required of such officer or person, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by a fine not exceeding the sum of one thousand dollars, or be imprisoned in the Penitentiary for a term not exceeding two years,

Falsifying returns, fraud or failure to perform duties, penalty for.

SEC. 27. If any person who is required by this act to take an oath, shall falsely swear, such person shall be deemed guilty of perjury.

False oath under this Act.

SEC. 28. Any person who shall disturb or be guilty of any riotous conduct at any election in this Territory, or who shall disturb or interfere with the canvassing of the votes, or interfere with the making

Riotous conduct or interfering with voter.

of the returns, or who shall interfere with any voter in the exercise of the elective franchise, shall be deemed guilty of a misdemeanor.

Giving or offering bribe to influence voter, made a misdemeanor.

SEC. 29. Any person who shall give, or promise, or offer to give to an elector, any money, reward, or other valuable consideration for his or her vote at an election, or for withholding the same, or who shall give, or promise to give, such considerations to any other person or party, for such elector's vote, or for the withholding thereof, or any elector who shall receive or agree to receive, for himself, or for another, any money, reward or other valuable consideration for his vote at an election, or for withholding the same, shall be deemed guilty of a misdemeanor, and shall also forfeit the right to vote at such election; and any elector whose right to vote shall be challenged for such cause, before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue, before his vote shall be received.

Voter, when challenged, shall swear.

Threats, intimidation, interference with ballot or ballot boxes.

SEC. 30. Any person who shall offer any bribe, threat or intimidation to any elector for the purpose of influencing his or her vote, or shall examine any ballot offered or cast at the polls, or found in any ballot box, for any other purpose than to ascertain what candidate has been elected, or who votes more than once at any one election or knowingly offers to vote two or more ballots, or in any manner changes any ballot after the same has been deposited in the ballot box, or adds, or attempts to add, any ballot to those legally polled, shall be deemed guilty of a misdemeanor.

Act takes effect, when.

SEC. 31. This act shall take effect on and after the first Monday of March, A. D. 1878.

Conflicting Acts and provisions repealed.

SEC. 32. The provisions of all acts and parts of acts superseded by, or in conflict with any of the provisions of this act, are hereby repealed.

Approved February 22, 1878.

## An Act Amending the Charter of Salt Lake City.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That Sections 60 and 63 of an act entitled "An Act incorporating Salt Lake City," approved January 20th, 1860, are hereby so amended that the City Council thereof, in addition to the powers therein conferred, may, for the purpose of procuring money wherewith to construct a canal and other works, by means of which to supply the inhabitants of said city with water, borrow money to an amount not to exceed the sum of \$250,000, either by the issue of coupon bonds or other negotiable securities, as said Council shall deem most conducive to the interests of said city, although the interest on the money thus obtained, together with that upon the aggregate of all the sums borrowed by said city and outstanding, may exceed one-fourth of the city revenue arising from taxes assessed within the corporation during the year next preceding the date of making such loan or the issuing of said bonds or other securities; *Provided*, Such indebtedness, bonded or otherwise, shall not be incurred unless at a special election called for that purpose, by resolution of the City Council, after fifteen days' public notice, stating distinctly the purpose and object for which such indebtedness shall be incurred, the registered voters of said city, as registered for the regular municipal election next preceding said special election, by at least a two-thirds majority vote cast at such election, shall determine in favor of incurring such indebtedness. Nor shall the City Council sell the bonds of said city below the par value thereof, nor issue bonds or other negotiable securities for a period of time exceeding fifteen years. The City Council may provide by ordinance for holding special elections in said city, and the manner in which they shall be conducted and the returns and canvass of votes thereof made.

Sections 60 and 63 of Salt Lake City Charter amended.

City Council given authority to borrow money.

Special election to be called.

Two-thirds vote necessary.

City Council may provide for special elections.

Sinking fund provided for.

SEC. 2. The City Council of said city shall set apart every six months, out of the revenue of said city, a sum not less than one-fifth of the entire revenue thereof, as determined by the amount of revenue collected during the preceding six months, as a sinking fund for the payment of the interest and principal of the indebtedness hereinbefore authorized, as the same shall become due. Said sinking fund to be held and payments therefrom made in such manner as the City Council may by resolution provide.

Sec. 62 amended.

Taxes a lien upon property from date of assessment.

SEC. 3. That Section 62 of said act incorporating Salt Lake City is hereby amended by adding the following thereto: "The taxes thus levied shall attach to and constitute a lien on the property assessed from the day of assessment until paid."

City Council may provide for repair of sidewalks, etc.

SEC. 4. The City Council of said city is hereby empowered to provide by ordinance and enforcement thereof:

First—To compel the inhabitants thereof to keep the sidewalks in front of their premises free from stones, snow, ice, overhanging branches of trees and other obstructions, and to keep such sidewalks in repair.

May regulate use of opium.

Second—To regulate, control or prohibit the smoking of opium or inhaling of the fumes thereof, the sale of opium for such purposes, and to suppress opium smoking houses.

May take property for public use.

Third—That private property may be taken for the opening, widening or altering of any public canal or water ditch, in the same manner as provided in Sections 76 and 77 of the before named act incorporating said city, for taking private property for opening, widening or altering any public street, lane, avenue or alley.

Deputy Recorder to be appointed.

Fourth—To authorize the Recorder of said city to appoint a deputy and to define his duties.

Sec. 65 amended.

SEC. 5. That so much of Section 65 of said act incorporating Salt Lake City as requires that "the annual assessment rolls shall be returned by the Assessor

on or before the first Monday of April in each year," is hereby repealed, and the following substituted in its place: "The annual assessment rolls shall be returned by the Assessor on or before the first Tuesday of July in each year."

Assessment rolls to be returned by first Tuesday of July.

Approved February 20, 1880.

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An Act Amending an Act Amending the Charters of Incorporated Cities, approved February 22, 1878.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That Section 2 of "An Act amending the Charters of Incorporated Cities," approved February 22, 1878, is hereby amended by striking out all the words from the word "and," in the twenty-second line, to the word "assessed" inclusive, in the twenty-sixth line, and inserting the following in lieu thereof: "In proportion to the benefits respectively resulting thereto by virtue of such improvement, as may be directed by such City Council," and by inserting after the words "such city," in the fifty-sixth line of said section, the words: *Provided*, That in no case shall more than fifty per cent. of any tax assessed under this act be collected in any one year.

Sec. 2 of Act of Feb. 22, 1878, amended, etc.

SEC. 2. That Section 3 of the before mentioned act is hereby amended by striking out the word "when," at the commencement of said section, and inserting the word "where" in lieu thereof.

Sec. 3 amended.

Approved February 20, 1880.

An Act to Provide for the Right of Way for Canals for  
Salt Lake City.

SALT LAKE CITY GIVEN POWER TO CONSTRUCT CANALS ETC.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the corporation of Salt Lake City is hereby empowered to supply its inhabitants with water, and for that purpose to construct and maintain such canals, ditches flumes, dams, reservoirs and other means for procuring, diverting and conveying water as may be necessary, although the same may be or extend beyond the corporate limits of said city.

PROCEEDINGS TO SECURE RIGHT OF WAY. APPLICATION TO BE MADE TO DISTRICT COURT.

SEC. 2. Whenever said city shall not have acquired, by gift or purchase, any land, real estate, or claim necessary for the construction or maintenance of such canal, ditch, flume, reservoir or dam, or other means of storing, diverting and conveying water, or which may be affected by any operations connected, with the construction or maintenance of the same, the said corporation may present to the judge of the district court of the judicial district wherein such lands, real estate or claims shall be situated, a petition signed by the Mayor, Attorney or agent of the same, describing with convenient accuracy and certainty, by maps or otherwise, the lands, real estate or claims so required to be taken or affected, as aforesaid, setting forth the purpose for which said land is required, the name and residence of each owner or other person interested therein as owner, lessee or incumbrancer, as far as known, to such Mayor, Attorney or agent, or appearing of record upon local or county record, and praying the appointment of three appraisers to ascertain the compensation to be made to such owner and person interested, for the taking or injuriously affecting such land, real estate or claims as aforesaid.

APPRAISERS TO BE APPOINTED.

SEC. 3. The said judge shall have satisfactory evidence that notice of an intended application, and the time and place thereof, for the appointment of appraisers between said corporation and the owners and the persons interested in such lands, real estate and claims, has been given, at least ten days previously, to such owners, personally or at their residence, or on the premises, or by the publication thereof in a newspaper having general circulation in the district in which such lands, real estate or claims shall be situated, such publication to be allowed only in respect to owners or persons interested, who shall appear by affidavit to have no residence in the county known to such Mayor, Attorney or agent, which notice shall be published at least thirty days prior to the time fixed for the application aforesaid. The court may adjourn the proceedings from time to time; shall direct any future notice thereof to be given that may seem proper; shall have proofs and allegations of all parties interested, touching the regularity of the proceedings, and shall, by an entry in its minutes, appoint three disinterested appraisers, as afore-said, specifying in such entry a time and place for the first meeting of such appraisers.

Ten days' notice to be given.

Notice to be published.

Court to hear parties interested.

SEC. 4. The said appraisers, before entering upon the duties of their offices, shall take an oath to faithfully and impartially discharge their duties as said appraisers, and any one of them may administer oaths to witnesses produced before them; they may issue subpoenas, and compel witnesses to attend and testify, and may adjourn and hold meetings for that purpose, and shall give reasonable previous notice to such owners or parties interested. They shall hear the proofs and allegations of the parties, and any two of them, after reviewing the premises, shall, without fear, favor or partiality, ascertain and certify the compensation proper

Appraisers to take oath.

May administer oaths and issue subpoenas, and compel witnesses to testify.

Duties of the appraisers.

to be made to said parties or owners interested, for the lands, real estate or claims, to be taken or affected, as well as all damages accruing to the owners or parties interested in consequence of the condemnation of the same, taking, or injuriously affecting as aforesaid, making such deduction or allowances for the real benefits or advantages which such owners, or parties interested, may derive from the construction of such canal, ditch, flume, dam or reservoir, or other means of diverting or conveying water. They, or a majority of them, shall make, subscribe and file in the office of the clerk of the district court of the district in which such lands, real estate or claims, shall lie, a certificate of the said ascertainment and assessment, in which such lands, real estate or claims, shall be described with convenient certainty and accuracy.

Must file a certificate of assessment, etc.

The Court to enter upon its minutes a rule describing said lands, etc.

One copy to be recorded.

SEC. 5. The said judge, upon such certificate and due proof that such compensation and separate sums, if any be certified, have been paid to the parties entitled to the same, or have been deposited to the credit of such parties with the clerk of the court, or other place for that purpose, approved by the court, shall make and cause to be entered in its minutes, a rule describing such lands, real estate or claims, in manner aforesaid, such ascertainment, of compensation, with mode of making it, and each payment or deposit of the compensation as aforesaid, a certified copy of which shall be recorded and indexed in the recorder's office of the proper county, in like manner and with like effect as if it were a deed of conveyance from the said owners and parties interested to the said corporation. Upon the entry of each rule the said corporation shall have exclusive right, title and possession of all such lands, real estate or claims described in said rule, as required to be taken as aforesaid, and may take possession of, and hold and use the same, for the purpose of such canal,



ditch, flume, dam or reservoir, or other means of storing, diverting and conveying water, and shall thereupon be discharged from all claims for any damage by reason of any matter specified in such petition, certificate or rule of said district court.

SEC. 6. If at any time after an attempted or actual ascertainment of compensation under this act, or any purchase by or donation to said corporation of lands or claims for purposes aforesaid, it shall appear that the title acquired thereby to all or any part of such land, for the use of said corporation, or if said assessment shall fail or be deemed defective, the said corporation shall proceed and perfect such title by procuring an assessment of the compensation proper to be made to any person who has title, claim or interest in, or lien upon such lands and by making payment thereof in the manner hereinafter provided, as near as may, be and at any stage of such new proceedings, or of any proceedings under this act, the said judge may, by rule in that behalf made, authorize the said corporation if already in possession; and if not in possession, to take possession of and use said premises during the pendency, and until the final conclusion of such proceedings, and may stay all actions and proceedings against such corporations on account thereof; *Provided*, said corporation shall pay a sufficient sum into court, or give approved security to pay the compensation in that behalf when ascertained, and in every case when possession shall be so authorized, it shall be lawful for the owners to conduct the proceedings to a conclusion, if the same shall be delayed by the corporation. The said appraisers shall receive five dollars per day, as compensation for each day actually employed, such compensation to be taxed and allowed by the said judge. If any appraiser so appointed shall die, be unable or fail to serve, the court may appoint another in his place, on

The Corporation may perfect its title of land, etc.

Compensation of appraisers.

Vacancies, how filled.

reasonable notice, or the parties by written agreement may appoint another, to be approved by the said judge.

Approved February 20, 1880.

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An Act Amending the Charter of Salt Lake City.

Amending  
charter of Salt  
Lake City,  
granting  
power to tax,  
sale, etc., of  
liquors.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the City Council of Salt Lake City is hereby empowered by ordinance and enforcement thereof, to license, tax and regulate the manufacturing, selling, giving away, or in any other manner disposing of spirituous, vinous or malt liquors, and the persons who engage therein; to restrain, prohibit and punish the manufacturing, selling, giving away, or in any other manner disposing of spirituous, vinous or malt liquors, without a license therefor, or contrary to the terms of a license granted to exercise said powers, conjointly or separately; to prohibit the selling, giving away, or in any manner disposing of spirituous, vinous or malt liquors upon Sundays, public holidays and election days; to adopt and employ proper and convenient means for carrying the same into effect; to have the power to require the payment in advance, into the city treasury, for purposes of revenue, for each and every license granted for the manufacturing, selling, or otherwise disposing of such liquors, a sum not exceeding at the rate of twelve hundred dollars per annum.

Approved January 20, 1882.

An Act Providing for the Appointment of Justices of the Peace in case of Vacancies.

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SECTION 2. That in case of a vacancy in the office of Mayor, Alderman or any City Justice of any incorporated city in this Territory, the City Council of such city is hereby authorized and empowered to fill such vacancy by appointment until the next general municipal election.

Appointment of Municipal officers.

SEC. 3. All laws and parts of laws conflicting with this act are hereby repealed.



An Act to extend the Powers of Incorporated Cities.

*Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the City Councils of each and every of the incorporated cities of this Territory, are hereby authorized and empowered, by ordinance and enforcement thereof, to enforce the payment of all city taxes by levy and sale of the real or personal property of any delinquent taxpayer, in the manner provided by law for assessing and collecting territorial and county taxes. The city Assessors and Collectors to exercise the same powers within their several jurisdictions as are exercised by county assessors and collectors, and any city taxes, when assessed, shall be a lien on the property assessed until paid.

Granting additional powers to incorporated cities.

Approved March 1, 1884.

An Act Amending "An Act Incorporating Salt Lake City,"  
approved January 20, 1860.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the City Council of Salt Lake City be and is hereby authorized and empowered by ordinance and the enforcement thereof: First—To license, tax and regulate the use of billiard or pool tables and prohibit the use of all kinds of tables in any public place in the city on which gaming for money or the representative thereof is allowed, and to punish the owners and keepers of said tables for the violations of any ordinance of the city. Second—To license, tax and regulate the use of nine or ten pin alleys and all kinds of ball and pin alleys and the runways thereof in any public place in said city, in or on which games are played; and to punish the owners and keepers of such alleys and runways to be used for the playing of games therein and thereon contrary to any ordinance of said city; licensing or regulating their use for such purposes, and the playing of all games on such tables and in such alleys and on the runways of such alleys, shall be deemed to be by and with the consent and permission of the owners and keepers thereof; *Provided*, That the fee for such license shall in no case exceed fifty dollars per annum for each of such tables nor fifty dollars for each runway of such alleys nor be less than twenty-five dollars per annum for each table and runway as aforesaid.

Billiard and  
pool tables  
etc.

SEC. 2. To prohibit the playing of any game for money or other property or thing representing money or other property; and to punish all persons who shall play at any game for money or other property or thing representing money or other property.

To prohibit  
gaming,

SEC. 3. The Mayor of Salt Lake City shall have <sup>Police.</sup> power to appoint, by and with the advice and consent of the City Council, the regular police of said city to the number which may from time to time be prescribed by the City Council, and to remove the same at pleasure. He shall also have power to appoint special police, when, in his judgment, the public good may require such action; *Provided*, That such special police shall not be appointed for a longer period than ten days without the consent of the City Council.

SEC. 4. To prohibit the employment of any female to serve in the selling, giving away, or other disposition or delivery of spirituous, vinous, and malt liquors in any saloon or place in said city in which such liquors or any of them are so disposed of or delivered to be drunk on the premises where so sold or otherwise disposed of, and to punish any female so employed and serving, and all persons by whom such females are employed. <sup>Employment of females in saloons prohibited.</sup>

Approved March 13, 1884.

An Act to Amend Chapter X of the Laws of Utah, 1884.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That Chapter X of the Laws of Utah, 1884, be, and the same is hereby amended, by adding the following to said Chapter, to be known as Sections 2 and 3, and that said chapter be numbered Section 1, of this act.

City Charters amended.

City Councils to have power to assess, collect and expend water tax.

Prior rights not interfered with.

May provide for punishment of assault, etc.

SEC. 2. The City Councils of the respective cities of this Territory shall have power to annually assess, collect and expend a water tax, to supply the city with water for domestic and irrigating purposes, and may regulate the use of water for manufacturing purposes, and to tax individuals for the use of such water, in proportion to the water used by each; *Provided*, That nothing herein shall be construed to interfere with the water rights accrued by priority of appropriation.

SEC. 3. To provide against, by ordinance, and punish offenses of assault and battery, and petit larceny.

Approved March 11, 1886.

\*An Act Providing for the Incorporation of Cities.

## ARTICLE I.

SECTION 1. When the inhabitants of any part of any county not embraced within the limits of any city shall desire to be organized into a city, they may apply by petition in writing, signed by not less than one hundred of the qualified electors of the territory to be embraced in the proposed city, to the county court of the proper county, which petition shall describe the territory proposed to be embraced in such city, and shall have annexed thereto an accurate map or plat thereof, and state the name proposed for such city, and shall be accompanied with satisfactory proof of the number of the inhabitants within the territory embraced in said limits.

How inhabitants of any part of county may be organized into a City.

SEC. 2. When such petition shall be presented, the court shall forthwith designate the class of the proposed city, and fix the time and place within the boundaries of such proposed city or town at which the election may be held to determine such question; and such election shall be held and conducted in the same manner as provided by law for conducting general elections. Said court, before such election is held, shall give notice by publication in some newspaper published within said limits, if there be one, at least once a week for four successive weeks; but if there be no newspaper published therein, then by posting notices at least four weeks in five public places within said limits. Said notices shall contain a statement of the petition and de-

Classification of cities, how designated.

Manner of conducting election.

County Court to give notice of election.

Notices, what to contain.

\* Sections marked thus \*\* are applicable to all incorporated cities in the Territory at the time of the passage of this act.

Ballots.

scribe the territory proposed to be incorporated, and the officers to be elected, and shall also designate the time and place at which the election aforesaid shall be held. The ballots used at such election shall be "For incorporation," or "Against incorporation," and if "For incorporation," the names of the persons voted for.

Clerk of County Court to give notice of result.

SEC. 3. If a majority of the ballots cast at such election be in favor of such incorporation, the clerk of the county court shall immediately, on the returns of said election being filed in the proper office, give notice of the result by publication in the same manner as provided in the preceding section, and in such notices he shall designate to which of the classes of municipal corporations, hereinafter provided, such city shall belong. A copy of the notice, with proper proof of its publication, shall be filed with the papers, and a certified copy of all papers and record entries, relating to the matter on file in the clerk's office, shall be filed in the recorder's office of the county, and in the office of the Secretary of the Territory. Upon the filing of said papers, it shall be the duty of the Secretary of the Territory to make publication in some newspaper having general circulation within the territory of the incorporation of said city or town.

Secretary to make publication.

Municipal officers to be voted for.

SEC. 4. At the time of holding said election, the qualified voters, within said limits, shall vote for the election of the municipal officers hereinafter provided for. Said election shall be conducted and the canvass and returns of the votes cast at said election shall be made as provided by law.

SEC. 5. When the papers referred to in Section 3 of this act are filed, and the officers are



elected and qualified for such city or town, and publication is made by said clerk and secretary, the incorporation thereof shall be complete; and all courts in this Territory shall take judicial notice of the existence of such city or town.

Completion of incorporation.

SEC. 6. Any incorporated city or town now existing in this Territory may incorporate under this act in the manner following: Whenever a majority of the qualified electors of such city or town, as shown by the registration lists of the preceding year, shall petition the City Council or board of trustees, as the case may be, to submit the question as to whether such city or town shall incorporate under this act to the vote of the electors in such city or town, it shall be the duty of said council or board of trustees to submit such question accordingly, and designate the class under which said city or town will come, and appoint the place at which such voting may be done; and such election shall be held and conducted as prescribed by law; *Provided*, That such question shall be submitted at the next general municipal election; but such question shall not be submitted oftener than once in two years.

How cities and towns now existing may incorporate under this act.

SEC. 7. The mayor of such city, or the president of the board of trustees in such town, shall give notice, at least once a week, for four successive weeks, of such election, by publishing the notice thereof in one or more newspapers within such city or town; but if no newspaper is published therein, then by posting at least five copies of such notice in each municipal ward or voting precinct, for at least four weeks, and such notices shall state the officers to be elected.

Notice of election.

SEC. 8. The ballots to be used at such election shall be in the following form: "For incorporation," or "Against incorporation;" and at the time

Ballots.

Municipal officers to be voted for.

of holding such election, the municipal officers hereinafter provided for shall be voted for by the qualified electors. The returns of said election shall be entered upon the records of said city or town. If a majority of the votes cast at such election shall be for organization under general law, such city or town shall thenceforth be deemed organized under this act; but the officers then in office shall be governed by the provisions of the charters of their respective cities or towns until the officers elected under this act are qualified.

When to be deemed organized.

Certified copy of votes to be filed with County Recorder and Secretary of Territory.

SEC. 9. The corporate authorities of such city or town shall, within thirty days after organization hereunder, cause to be filed in the office of the county recorder in the county in which said city or town is situated, a certified copy of the returns of the votes, showing the results of such election, and such recorder shall record the same. And such corporate authorities shall also cause a like certificate to be filed in the office of the Secretary of the Territory, who shall file the same, and keep a registry of cities organized under this act. Said Secretary shall, upon filing said certificate, publish a notice in some newspaper having general circulation within the Territory, of the fact of such city or town becoming incorporated as herein provided.

Publication of notice.

Courts to take judicial notice of change in organization.

SEC. 10. All courts in this Territory shall take judicial notice of the change of the organization of any city or town from its original organization to its organization under this act; and from the time of organization the provisions of this act shall be applicable to such city. And all laws in conflict therewith shall no longer be applicable; but all laws, or parts of laws, not in-

Conflicting laws no longer applicable.

sistent with the provisions of this act shall continue in force and be applicable to any such city the same as if such change had not taken place.

Laws not inconsistent to continue in force.

SEC. 11. Cities incorporated under this act shall be bodies politic and corporate and shall be known and designated by the name and style of (such name as may be agreed upon) and under such name may sue and be sued, contract and be contracted with, acquire and hold real and personal property for corporate purposes, have a common seal, and may change the same at pleasure, have perpetual succession and exercise all the powers hereinafter conferred.

Powers.

Seal.

Perpetual succession.

SEC. 12. All rights and property of every kind and description which were vested in any municipal corporation under its former organization shall be deemed and held to be vested in the same municipal corporation upon its becoming incorporated under the provisions of this act; but no rights or liabilities, either in favor of, or against such incorporation existing at the time of becoming so incorporated under this act, and no action or prosecution of any kind shall be affected by such change; but the same shall stand and progress as if no change had been made; *Provided*, That whenever a different remedy is given by this act, which may properly be made applicable to any right existing at the time of such city so becoming incorporated under this act, the same shall be deemed cumulative to the remedies before provided and used accordingly.

Vested rights and property.

No action or prosecution to be affected by change.

Proviso.

SEC. 13. All ordinances and resolutions in force in any city or town, when it shall organize under this act, shall continue in full force and effect until repealed or amended, notwithstanding such change of organization; *Provided*, That such ordinances and resolutions do not conflict with

Ordinances and Resolutions to continue in force till repealed or amended.

the provisions of this act, and the making of such change of organization shall not be construed to affect the change in the legal identity of the corporation of such city or town.

Classification  
of cities.

SEC. 14. The municipal corporations in this Territory now existing and those hereafter organized shall be, and the same are hereby divided into three classes. Those cities having 20,000 or more inhabitants shall be known as cities of the first class. All cities having more than 5,000 and less than 20,000 inhabitants, shall be known as cities of the second class; and all other cities shall be known as cities of the third class. The municipal authorities of any city in this Territory are hereby authorized to appoint commissioners to take the census of such city before any municipal election; and if from the returns of said commissioners it shall be shown that any city belongs to the second or first class, it shall be the duty of the mayor to certify under the seal of the city to the Governor of the Territory the number of inhabitants of such city, and the Governor shall make proclamation that said city belongs to the second or first class, under the classification of cities as herein provided.

Census Com-  
missioners.

Mayor to certi-  
fy and Gover-  
nor to make  
proclamation.

Change of  
class.

SEC. 15. Whenever any city of the second or third class shall have attained the population of 20,000 or more, or 5,000 or more, respectively, and such fact shall have been duly ascertained and certified to the Governor by the Mayor of either of said cities, attested by the seal thereof, he shall declare, by public proclamation, such city to be of the first or second class, as the case may be, and such city so changed shall conform to the provisions of this act.

Municipal  
wards.

SEC. 16. All incorporated cities of the first and second class shall be divided into five municipi-

pal wards, the boundaries of which shall be prescribed by ordinance, prior to the next municipal election; *Provided*, That said wards shall be as near as may be of equal population and as near as may be in compact form.

SEC. 17. The municipal government of all incorporated cities of the first class is hereby vested in a City Council, to be composed of a Mayor, who shall be a qualified elector in his city, and fifteen Councilmen, three from each ward, who shall be qualified electors in their respective wards. The Mayor shall be chosen by the qualified voters of their respective cities, and the Councilmen shall be chosen by the qualified voters of their respective wards; they shall hold their office for two years and until their successors are elected and qualified.

Municipal government of first class, in whom vested.

Mayor and Councilmen, how chosen.

Term.

SEC. 18. The government of each municipal corporation of the second class is hereby vested in a City Council, to be composed of a Mayor and ten Councilmen, two from each ward, all of whom shall be qualified electors in their respective wards. The Mayor shall be chosen by the qualified voters of their respective cities, and the Councilmen shall be chosen by the qualified voters of their respective wards. And they shall hold their offices for two years and until their successors are elected and qualified.

Municipal government of second class, in whom vested.

Mayor and Councilmen, how chosen.

Term.

SEC. 19. The municipal government of cities of the third class shall be vested in a Council, to consist of a Mayor and seven Councilmen, who shall have the qualifications of electors of said city, and they shall be chosen by the qualified voters of said city, and shall hold their office for two years and until their successors are elected and qualified.

Municipal government of third class, how vested.

Mayor and Councilmen, how chosen.

Term..

## ARTICLE II.

## OF THE MAYOR.

Mayor to be  
chief execu-  
tive officer.

SECTION 1. The chief executive of the city shall be the Mayor, who shall be a qualified elector, and a freeholder within the city limits, and hold his office for two years and until his successor is elected and qualified.

Vacancy, how  
filled.

SEC. 2. Whenever a vacancy shall happen in the office of Mayor, the City Council shall elect a Mayor, who shall possess all the rights and powers of the Mayor, until the next election and until his successor is elected and qualified.

Mayor  
*pro tem.*

SEC. 3. During the temporary absence or disability of the Mayor, the City Council shall elect one of its number to act as Mayor *pro tem.*, who, during such absence or disability, shall possess the power of Mayor.

Removal of  
Mayor from  
city limits.

SEC. 4. If a Mayor at any time during his term of office shall remove from the limits of the city, his office shall thereby become vacant.

Mayor to pre-  
side.

SEC. 5. The Mayor shall preside at all meetings of the City Council, but shall not vote except in case of a tie, when he shall give the casting vote.

Mayor may  
remove ap-  
pointive offi-  
cers.

SEC. 6. The Mayor shall have power to remove any officer appointed by him, whenever he shall be of the opinion that the interests of the city demand such removal, but he shall report the reasons of such removal to the Council at its next regular meeting.

Power to keep  
peace and re-  
mit fines, etc.

SEC. 7. He may exercise within the city limits the powers conferred upon him, to suppress disorder and keep peace; and he may remit fines and forfeitures and release any person imprisoned for violation of any city ordinance; and

shall report such remittance or release, with the cause thereof, to the City Council at its next session.

SEC. 8. He shall perform all duties which are, or may be prescribed by law, or by ordinance, and shall see that the laws and ordinances are faithfully executed. Duties.

SEC. 9. He shall have power at all times to examine and inspect the books, records and papers of every officer or agent employed by the city. Power to inspect records.

SEC. 10. The Mayor shall, from time to time, give the Council information relative to the affairs of the city, and shall recommend for their consideration such measures as he may deem expedient. Messages to Council.

SEC. 11. He shall have power, when necessary, to call upon every male inhabitant of the city over the age of twenty-one years to aid in enforcing the laws and ordinances, in suppressing riots, and other disorderly conduct, or carrying into effect any law or ordinance of the city. May call upon the inhabitants to aid in the enforcement of laws.

SEC. 12. In case the Mayor or any municipal officer shall, at any time, wilfully omit the performance of any duty, or wilfully and corruptly be guilty of oppression, malconduct or misfeasance in the discharge of his office, he shall be liable to indictment and, on conviction thereof, fined in a sum not exceeding one thousand dollars, and the court under which such conviction shall be had shall enter an order removing such officer from office. Malconduct. Penalty.

SEC. 13. He may appoint, by and with the advice of the City Council, immediately after such change of organization, one or more competent persons to prepare and submit to the City Council, for their adoption or rejection, an ordinance in revision of the ordinances of such city, Revision of Ordinances.

and for the government of such city; the compensation of such revisers to be determined and fixed by the City Council and paid out of the city treasury.

### ARTICLE III.

**Councilmen.** SECTION 1. Councilmen shall hold their office for the term of two years, and until their successors are elected and qualified.

**Vacancy, how filled.** SEC. 2. If any vacancy shall occur in the office of a Councilman, by death, resignation, removal, or otherwise, such vacancy shall be filled for the unexpired term by appointment of the City Council, from the ward in which the vacancy occurs.

**Eligibility.** SEC. 3. No person shall be eligible to the position of Councilman unless he shall be a freeholder within the city, a qualified elector and reside within the ward for which he is elected; nor shall he directly or indirectly be interested in any contract whatever to which the city is a party; nor shall he be eligible if he shall have been convicted of malfeasance, bribery, or corruption in his office, nor shall he be eligible to any office, the salary of which is paid out of the city treasury, if at the time of his appointment he shall be a member of the City Council; nor shall any member of the City Council at the same time hold any other office under the city government.

**City Council to judge of qualification of its members.** SEC. 4. The City Council shall be the judge of the election and qualification of its own members.

**To determine its own rules, etc.** SEC. 5. It shall determine its own rules of proceedings, punish its members for disorderly conduct, and, with the concurrence of two-thirds



of the members of the Council, may expel a member for cause.

SEC. 6. The majority of the Council elected shall constitute a quorum to do business; but a smaller number may adjourn from time to time and may compel the attendance of absentees under such penalties as may be prescribed by ordinance.

SEC. 7. The City Council shall prescribe the time and place of holding its meetings; *Provided*, That at least one meeting shall be held each month, and the Mayor or any two members of the Council may call a special meeting by giving a notice of it to each of the members of the Council, served personally or left at his usual place of abode.

SEC. 8. It shall sit with open doors and keep a journal of its own proceedings.

SEC. 9. The yeas and nays shall be taken upon the passage of all ordinances and all propositions to create any liability against the city, and in all other cases at the request of any member, which shall be entered upon the journal of its proceedings; and the concurrence of a majority of the members elected to the City Council shall be necessary to the passage of any such ordinance or proposition.

SEC. 10. No vote of the City Council shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of Councilmen as were present when such vote was taken.

SEC. 11. Any report of a committee of the Council shall be deferred for final action thereon to the next regular meeting of the Council after the report is made, by request of any two members of the Council.

Ordinances to  
be signed by  
Mayor and  
published.

SEC. 12. All ordinances passed by the City Council shall be signed by the Mayor, and be deposited in the office of the City Recorder. All ordinances so passed by the Council and signed by the Mayor, shall be published once in some paper published within the city, if there be one, at least once a week for four successive weeks; if not, it shall be published by posting in three public places in said city; *Provided*, That whenever a revision occurs, and said revised ordinances are published by authority of the City Council, no further publication shall be deemed necessary.

Record of  
Ordinances.

The City Recorder shall record, in a book kept for that purpose, all the ordinances passed by the City Council, together with the affidavits of publication by the publisher, or his agent. And said book, or a certified copy of the ordinances so recorded, under the seal of the city, shall be received as evidence in all courts and places without further proof; or if printed in book or pamphlet form by the authority of the City Council, they shall be so received.

To be received  
in courts and  
places as  
official.

## ARTICLE IV.

### OF THE POWER OF THE CITY COUNCIL.

\* \* SECTION 1. The City Council shall have the following powers:

Finances.

First.—To control the finances and property of the corporation.

Real and per-  
sonal property.

Second.—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation; and to purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of the city, both within and without its corporate bound-

daries; to improve and protect such property, and to do all other things in relation thereto as natural persons.

Third.—To levy and collect taxes for general and special purposes on real and personal property. Taxes.

Fourth.—To fix the amount, terms, and manner of issuing licenses. Licenses.

Fifth.—To erect all needful buildings for the use of the city. Buildings.

Sixth.—To borrow money on the credit of the corporation for corporate purposes, and issue the bonds therefor in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to any amount, including the existing indebtedness, in the aggregate to exceed four per centum on the value of the taxable property therein, to be ascertained by the last assessment for the territorial and county taxes, previous to the incurring of such indebtedness; and shall provide for the payment of the interest on said bonds, as the same shall become due, and for a sinking fund for the payment of the principal of said bonds, within twenty years after contracting the same. Borrow money.  
Issue bonds  
Conditions.  
Sinking fund.

Seventh.—To issue bonds in place of, or to supply means to meet maturing bonds, or for the consolidation or funding of the same. Maturing bonds.

Eighth.—To lay out, establish, open, alter, widen, extend, grade, pave, or otherwise improve streets, alleys, avenues, sidewalks, parks and public grounds and vacate the same. Streets, parks,  
and public  
grounds.

Ninth.—To plant, or direct and regulate the planting of ornamental and shade trees, in such streets, avenues, sidewalks, parks and public grounds. Same.

- Same. Tenth.—To regulate the use of streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds.
- Obstructions. Eleventh.—To prevent and remove obstructions and encroachments upon the same.
- Lighting, sprinkling and cleaning streets. Twelfth.—To provide for the lighting, sprinkling and cleaning of the same.
- Openings in streets. Thirteenth.—To regulate the opening therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels, drains, and erecting gas or electric lights; *Provided*, That any company heretofore organized under the general laws of this Territory, or any association of persons organized for the purpose of manufacturing illuminating gas, or electricity to supply cities, or the inhabitants thereof, with the same, shall have the right, by consent of the City Council, (subject to existing right) to erect gas or electric light works, and lay down pipes, or string wires on poles in the streets or alleys of any city in this Territory, subject to such regulations as such city may by ordinance impose.
- Rights of gas and electric light companies. Fourteenth.—To construct and maintain water works, gas works, electric light works, street railways, or bath houses, or to authorize the construction and maintenance of the same by others, or to purchase any or all of said works from any person or corporation.
- Construct water works, etc. Fifteenth.—To construct or authorize the construction of water works without their limits, and for the purpose of maintaining and protecting the same from injury and the water from pollution, their jurisdiction shall extend over the territory occupied by such works and all reservoirs, streams, canals, ditches, pipes and drains, used in and necessary for the construction, maintenance and operation of the same, and over the
- Jurisdiction outside city limits.

stream or source from which the water is taken, for ten miles above the point from which it is taken; and to enact all ordinances and regulations necessary to carry the power herein conferred into effect.

Sixteenth.—To control the water and water courses leading to the city, and to regulate and control the water courses and mill privileges within the city; *Provided*, That the control shall not be exercised to the injury of any rights already acquired by actual owners; and to levy and to collect taxes upon all taxable real and personal property, not to exceed one per cent. per annum for the purpose of furnishing the city or the inhabitants thereof with water for irrigating and other purposes, and to regulate and control the same for the use and benefit of the inhabitants thereof, and may assess, collect and enforce the payment of the taxes in any manner provided for by ordinance.

Control water and water courses.

Levy and collect taxes for irrigation purposes, etc.

Seventeenth.—To construct, purchase and maintain canals, ditches and reservoirs; and to purchase springs, streams, or sources of water supply, for the purpose of providing water for irrigation, domestic or other purposes; and if necessary to secure said sources of water supply, may purchase the land upon which said water has been appropriated or applied.

Canals, ditches and reservoirs.

Eighteenth.—To make, contract with, and authorize any person, company, or association to construct gas works, electric or other light works in said city, and give such persons, company or association the privilege of furnishing light for the public buildings, streets, sidewalks, and alleys of said city, for any length of time not exceeding three years.

Gas and electric light privileges.

- Regulate their  
sale and use. Nineteenth.—To provide for the lighting of streets, laying down of gas pipes, and erecting of lamp posts, and to regulate the sale and use of gas and electric or other lights, the charge therefor, and the rent of gas meters within the city, and to regulate the inspection thereof, to prohibit or regulate the erection of telegraph, telephone or electric wire poles in the public grounds, streets or alleys, and the placing of wires thereon, and to require the removal from the public grounds, streets or alleys, of any or all such poles, and the placing underground of any or all telegraph, telephone or electric wires.
- Telegraph, tel-  
ephone and  
electric light  
poles and  
wires.
- Water tax. Twentieth.—To fix the rate of tax to be paid for the use of water furnished by the city, or any person or corporation.
- Sidewalks. Twenty-first.—To regulate the use of sidewalks and all structures thereunder, and to require the owner or occupant or any person to keep the sidewalks in front of, or along the same, free from snow and all other obstructions.
- Prevent injury  
or obstruction  
to streets. Twenty-second.—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury or obstruction to any street, avenue, alley, park or public ground.
- Crosswalks,  
curbs and  
gutters. Twenty-third.—To provide for and regulate cross-walks, curbs, and gutters.
- Signs and  
awnings, etc. Twenty-fourth.—To regulate or prevent the use of streets, sidewalks, public buildings and grounds for signs, signposts, awnings, telegraph, or telephone poles, horse-troughs, racks, posting hand-bills or advertisements.
- Placards or  
handbills. Twenty-fifth.—To regulate or prohibit the exhibition, or carrying of placards or hand-bills in the streets, public grounds, or upon the sidewalks.

Twenty-sixth.—To regulate or prevent the flying of flags, banners, or signs across the streets, or from houses.

Flags banners, etc.

Twenty-seventh.— To regulate or prohibit traffic and sales upon the streets, sidewalks and public places.

Traffic upon streets.

Twenty-eighth.— To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation; and to prevent horse-racing, immoderate driving, or riding in the streets.

Speed of animals.

Twenty-ninth.—To regulate the numbering of houses and lots.

Numbering houses and lots

Thirtieth.—To name and change the name of any street, avenue, or other public place.

Naming streets. etc.

Thirty-first.—To permit, regulate or prohibit the locating, constructing, or laying the track of any railroad or tramway, in any street, alley, or public place; but such permission shall not be for a longer time than twenty years.

Railroad tracks and tramways.

Thirty-second.—To provide for and change the location, grade and crossing of any railroad.

Railroad crossing.

Thirty-third.—To require railroad companies to fence their respective railroads, or any portion of the same, and construct cattle guards, crossings, of streets and public roads, and keep the same in repair within the limits of the corporation.

Cattle guards.

Thirty-fourth.— To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property; to compel such companies to raise or lower their railroad tracks to conform to any grade which may at any time be established by such city, and when such tracks run lengthwise of any such street, alley, or highway, to keep a railroad track on a level with the street surface, so that such tracks may be crossed at any

Flagmen at crossings.

Tracks to conform to grade.

place on such street, alley, or highway; to compel and require railroad companies to make and keep open, and to keep in repair ditches, drains, sewers and culverts, along and under their railroad tracks, so that filthy or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural or artificial drainage of adjacent property shall not be impeded.

Culverts to be kept open.

Bridges, viaducts and tunnels.

Thirty-fifth.—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Culverts, drains, sewers, etc.

Thirty-sixth.—To construct and keep in repair culverts, drains, sewers, catch basins, man-holes and cesspools, and to regulate the use thereof.

Hawking, peddling, pawn-brokerage, etc.

Thirty-seventh.—To license, tax, and regulate hawking, peddling, pawn-brokerage, employment agencies, the keeping of ordinaries, theatrical and other exhibitions, shows, amusements, and the business conducted by ticket scalpers, distillers, brewers, money changers, brokers, keepers of public scales, runners for stages, cars, public houses, or other persons or things, and to revoke such license at pleasure; to license, tax and regulate banks, bath houses, livery stables, skating rinks, smelters, crushers, express companies, restaurants, hotels, taverns, theatres, opera houses, music halls, boarding houses, eating houses, chop houses, lodging houses, laundries, barber shops, second-hand or junk stores, and to forbid the owners or person in charge of said stores from purchasing or receiving from minors without the written consent of their guardian or parents, any article whatever; to license, tax and regulate the business conducted by hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, watermen,

Banks, bath houses, livery stables, second hand stores, theatres, etc.

Hackmen, draymen, etc.



and all others pursuing like occupations, and to prescribe their compensation, merchants, re-  
tailers, shops and storekeepers, druggists, pho-  
tographers, assayers, confectioners, and fruit  
peddlers.

Merchants,  
druggists, as-  
sayers. etc.

Thirty-eighth.—To license, regulate and tax  
and suppress billiard, bagatelle, pigeon hole, or  
any other tables or implements kept or used for a  
similar purpose; also pin alleys, or tables or ball  
alleys.

Billiard, pin  
alleys, etc.

Thirty-ninth.—To suppress and prohibit the  
keeping of bawdy and other disorderly houses,  
houses of ill-fame, or assignation, or houses kept  
by, maintained for, or resorted to, or used by one  
or more females for lewdness or prostitution,  
within the limits of the city, and within three  
miles of the outer boundaries thereof, and to pro-  
hibit the resorting thereto for any of the pur-  
poses aforesaid; and also to suppress and prohibit  
gaming and gambling houses, lotteries, and all  
fraudulent devices and practices, and all kinds of  
gaming, playing at dice, cards, or other games of  
chance, and to prohibit the sale or exhibition of  
obscene or immoral publications, prints, pictures,  
or illustrations.

Bawdy houses,  
etc.

Gambling  
houses, etc.

Gaming, etc.

Fortieth.—To license, regulate and tax the  
manufacturing, selling, giving away, or disposing  
of in any manner, any intoxicating, malt, vinous,  
mixed or fermented liquor, the license not to ex-  
tend beyond the municipal year in which it shall  
be granted, and to determine the amount to be  
paid for such license; and said license shall be  
subject to the same restrictions as required by  
the general laws of the Territory, and said Coun-  
cil shall require of all persons applying for a  
license hereunder, a bond in good and sufficient  
security and with like conditions as required by

Intoxicating  
liquors.

the general laws of the Territory in this regard; *Provided*, That no other or further permit or license shall be required by the county in which such city is situated to enable such person or persons so licensed to sell or deal therein within the limits of the corporation.

- Same. Forty-first.—To punish and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor, to any minor, insane or idiotic person, habitual drunkard, or person intoxicated; and also to punish and prohibit the keeping or maintaining or becoming an inmate of, or visiting or in any way contributing to the support of any place, house or room where opium is smoked, or where persons assemble for the purpose of smoking opium or inhaling the fumes of opium or where opium is sold for such purpose.
- Opium.
- Markets. Forty-second.—To establish markets and market houses, and provide for the regulation and use of thereof.
- Meats, poultry, fish, provisions. Forty-third.—To provide for place and manner of sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and regulate the selling of the same.
- Same. Forty-fourth.—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, flour, meal and all other provisions.
- Lumber, fire-wood, coal and hay. Forty-fifth.—To regulate the inspection, weighing and measuring of lumber, firewood, coal, hay.
- Weights and measures. Forty-sixth.—To provide for the inspection of and sealing of weights and measures.
- Same. Forty-seventh.—To enforce the keeping of proper weights and measures, by vendors.

Forty-eighth.—To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

Vaults, cisterns, etc.

Forty-ninth.—To prevent intoxication, fighting, gambling, quarreling, dog fights, cock fights, and all disorderly conduct, and provide against and prevent the offenses of assault and battery, and petit larceny; to restrain riots, routs, noises, disturbances, or disorderly assemblies in any street, house or place in the city; to regulate or prevent the discharge of firearms, rockets, powder, fireworks, or any other dangerous combustible material, in the streets, lots, grounds, alleys, or about or in the vicinity of public buildings.

Disorderly conduct.

Assault and battery; petit larceny. Riots.

Firearms.

Fireworks.

Fiftieth.—To regulate and prohibit the carrying of concealed weapons.

Concealed weapons.

Fifty-first.—To arrest, fine, or set to work on the streets or elsewhere, all vagrants, mendicants, and persons found in said city without visible means of support or some legitimate business.

Vagrants.

Fifty-second.—To provide for the punishment of persons disturbing the peace and good order of the city, or any lawful assembly, by clamor, or noise, or by intoxication, fighting, or using obscene or profane language, or otherwise violating the public peace by indecent or disorderly conduct, or by lewd or lascivious behavior.

Disturbing the peace.

Fifty-third.—To provide for the punishment of tramps, common street beggars, common prostitutes, habitual disturbers of the peace, pickpockets, gamblers, thieves, persons who practice any game, trick or device with intent to swindle.

Tramps, beggars, prostitutes, etc.

Fifty-fourth.—To define the fire limits and prescribe limits within which no buildings shall be constructed, except brick, stone or other incombustible material, without permission, and to

Fire limits, construction of buildings.

to cause the destruction or removal of any building constructed or repaired in violation of any ordinance; and to cause all buildings and enclosures which may be in a dangerous state to be put in a safe condition.

Fifty-fifth.—To prescribe the thickness, strength and manner of constructing stone, brick, and other buildings, and construction of fire escapes therein; and to cause all buildings used for public purposes to be provided with sufficient and ample means of exit and entrance, and to be supplied with necessary and appropriate appliances, for the extinguishment of fire and to prevent the overcrowding, and to regulate the placing and use of seats, chairs, benches, scenery, curtains, blinds, screens, or other appliances therein.

Fifty-sixth.—To prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stovepipes, heaters, ovens, furnaces, boilers, and other apparatus used in and about buildings and manufactories, and cause the same to be removed or placed in a safe condition, where considered dangerous.

Fifty-seventh.—To regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires, and to prevent the deposit of ashes in unsafe places.

Fifty-eighth.—To provide for the organization and support of a fire department, to procure fire engines, hooks, ladders, buckets and other apparatus, and to organize fire engine, hook and ladder companies, and to prescribe rules, duties and government therein, with such penalty as the Council may deem proper, and to make all necessary appropriation therefor, and to establish regulations for the prevention and extinguishment of fires.

Fifty-ninth.—To regulate or prevent the storage of gunpowder, tar, pitch, resin, coal oil; benzine, turpentine, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bonfires; also to regulate or restrain the use of fireworks, firecrackers, torpedoes, roman candles, skyrockets, or other pyrotechnic displays.

Gunpowder,  
tar, pitch, etc.

Bonfires, etc.

Pyrotechnic  
displays.

Sixtieth.—To provide for the inspection of steam boilers.

Steam boilers.

Sixty-first.—To establish, erect and maintain city jails, houses of correction and workhouses for the confinement of persons convicted of violating any city ordinance, and make rules and regulations for the government of the same, and appoint necessary jailors and keepers, and to use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county court.

Jails, houses of  
correction,  
workhouses,  
etc.

Sixty-second.—To prohibit cruelty to animals.

Cruelty to ani-  
mals.

Sixty-third.—To declare what shall be a nuisance and to abate the same, and impose fines upon parties who may create, continue or suffer nuisances to exist.

Nuisances.

Sixty-fourth.—To make regulations to secure the general health of the city; to prevent the introduction of contagious, infectious or malignant diseases into the city, and to make quarantine laws and enforce the same within the corporate limits, and within twelve miles thereof; to create a board of health and prescribe the powers and duties of the same.

Health.

Sixty-fifth.—To purchase, hold, and pay for lands within or without the corporate limits for the burial of the dead, and all necessary ground

Hospital and  
burial grounds

for hospitals, and to have and exercise police jurisdiction over the same; and over cemetery used by said city; and to survey, plat, map, fence, ornament and otherwise improve all burial and cemetery grounds; and to convey cemetery lots owned by said city, and pass rules and ordinances for the protection and government of said grounds, and for the governing of owners of lots therein and visitors and trespassers.

Burial of the dead.

Sixty-sixth.—To regulate the burial of the dead and the registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for default therein.

Animals running at large.

Sixty-seventh.—To regulate or prohibit the running at large within the limits of the city, horses, mules, asses, cattle, swine, sheep, goats, geese and all kinds of poultry; to establish a pound and appoint a poundkeeper, and prescribe his duties, and to distrain and impound animals running at large, and to provide for the sale of the same in the same manner as provided for the sale of estrays and animals doing damage by the laws of the Territory. The proceeds arising from the sale of such animals, after the payment of all costs, shall go to the city treasury.

City pound.

Estrays.

Dogs.

Sixty-eighth.—To license, tax, regulate or prohibit the keeping of dogs, and to authorize the destruction of the same when at large contrary to ordinance.

Packing houses, tanneries, etc.

Sixty-ninth.—To direct the location and regulate the management and construction of packing houses, tanneries, canneries, renderies, bone factories, slaughter houses, butcher shops, soap factories, foundries, breweries, distilleries, livery stables and blacksmith shops in, and within one mile of the limits of the corporation.

Seventieth.—To prohibit any offensive or unwholesome business or establishment within one mile of the limits of the corporation; to compel the owner of any pig-sty, privy, barn, corral, sewer or other unwholesome or nauseous house or place to cleanse, abate or remove the same, and regulate the location thereof.

Abating pig-sty, privy, barn, etc.

Seventy-first.—To provide for taking the census, but no census will be taken oftener than once in five years, except as provided in section 14, Article I, of this act.

Taking census.

Seventy-second.—To provide for the construction and care of all public buildings necessary for the use of the city.

Public buildings.

Seventy-third.—To prevent or regulate the rolling of hoops, playing of ball, flying of kites, riding of bicycles or tricycles, or any other amusement or practice having a tendency to annoy persons passing in the streets, or on sidewalks, or to frighten teams or horses.

Prevent playing of ball, bicycle riding, etc.

Seventy-fourth.—To regulate, tax or prohibit the keeping of any lumber yard, and the placing or piling, or selling any lumber, timber, wood or other combustible material within the limits of the city.

Lumber.

Seventy-fifth.—To purchase, construct, lease, rent, manage and maintain any system or part of system of waterworks, hydrants and supplies of water, telegraphic, fire signals, or fire apparatus, and to pass all ordinances, penal or otherwise, that shall be necessary for the full protection, maintenance, management and control of the property so leased, purchased or constructed.

Systems of waterworks, fire signals, etc.

Seventy-sixth.—To establish, maintain and regulate free public libraries and reading rooms, and to perpetuate such free libraries and reading

Libraries and reading rooms.

rooms as may have been heretofore established in said cities.

- Processions.        Seventy-seventh. — To regulate or prohibit all public demonstrations and processions which interfere with public traffic.
- Indigent dead.     Seventy-eighth.—To provide for the burial of indigent dead and to pay the expenses thereof.
- Street tax.         Seventy-ninth.—To provide by ordinance for the annual levy and collection of a street tax assessed upon the property, real or personal, of the city. Said tax not to exceed one-half of one per cent. in any one year, and to be expended for the opening, widening, grading, paving and improving of the streets, sidewalks, avenues and alleys of the city.
- Destitute Children. Eightieth.—To authorize the taking and providing for the safe-keeping and education, for such periods of time as may be expedient, of all children who are destitute of proper parental care.
- Inspection of liquors. Eighty-first.—To regulate the inspection of whisky and other liquors.
- Butchers.          Eighty-second.—To regulate, license the business conducted by butchers, and to revoke their license for malconduct in the course of trade, and regulate, license the selling of fresh meat and vegetables in the city, and to prohibit the forestalling of poultry, fruit, vegetables and eggs.
- Bell-ringing, etc. Eighty-third. — To prevent the ringing of bells, blowing of horns and bugles, crying of goods and other noises, performances, and devices tending to the collection of persons on the streets or sidewalks, by auctioneers and others for the purpose of business, amusement or otherwise.
- Fastening animals. Eighty-fourth.—To compel persons to fasten animals attached to vehicles while standing or remaining in the streets.



Eighty-fifth.—To extend any street, alley or highway, by condemnation or otherwise, over or across, or to construct any sewer under or through any railroad track, right of way or land of any railroad company within the corporate limits; but where no compensation is made to such railroad company the city shall restore such railroad track, right of way or land to its former condition, or in such a manner as not to have impaired its usefulness.

Extend streets and sewers across or under railroad tracks, etc.

Eighty-sixth.—To require all officers and agents elected or appointed in pursuance of this act to give bond and security for the faithful performance of their duties, and to require from every officer of the city at any time to report in detail all the transactions in his office, or of any matters connected therewith.

Require bonds from officers.

Eighty-seventh. — To appoint police and watchmen and to define their powers and duties, and to remove all officers of the city for misconduct, and to provide for filling such vacancies as may occur in any elective office, and to create any office that may be deemed necessary for the good government of the city; to regulate and prescribe the powers, duties and compensation of all officers of the city not herein provided for.

Police.

Create offices and prescribe compensation

Eighty-eighth.—To exercise the power of eminent domain and to take private property for public use, within or without the city, for the purposes and in the manner provided by law.

Eminent domain.

Eighty-ninth.—To raise revenues by levying and collecting a license fee or tax on any private corporation or business within the limits of the city, and regulate the same by ordinance. All such license fees and taxes shall be uniform in respect to the class upon which they are imposed.

License fees and taxes.

Ninetieth.—To pass all ordinances, rules and

Ordinances,  
rules and regu-  
lations.

make all regulations, not repugnant to the Constitution and laws of the United States, or the laws of this Territory, necessary for carrying into effect or discharging all powers and duties conferred by this act, and such as shall seem necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace, good order, comfort, convenience of the city and the inhabitants thereof, and for the protection of property therein, and to enforce obedience to such ordinances with such fines or penalties as the City Council may deem proper; *Provided*, The fine or penalty shall be less than three hundred dollars, and the imprisonment shall not exceed six months for such offense.

Penalties.

## ARTICLE V.

### ACTIONS FOR VIOLATION OF ORDINANCES.

Actions for  
recovery of  
fines, etc.

SECTION 1. All actions brought to recover any fines or to enforce any penalty, under any ordinance of any city, shall be brought in the corporate name of the city as plaintiff, and any prosecution, recovery or acquittal for the violation of any ordinance shall not constitute defense to any other violation of any such ordinances; although the different cause of action at the same time, and which, if united, would not have exceeded the jurisdiction of the court or justice of the peace.

Fines and for-  
feitures to be  
paid into  
treasury.

SEC. 2. All fines and forfeitures for the violation of ordinances, when collected, and all moneys collected for licenses or otherwise, shall be paid into the treasury of the corporation at such times and in such manner as may be prescribed by ordinance.

\* \* SEC. 3. In all actions for the violation of any ordinance, it shall be sufficient if the complaint refer to the title and section of the ordinance under which such action is brought. Any person upon whom any fine or penalty shall be imposed may, upon the order of the court before whom the conviction is had, be committed to the county jail, city prison, work house, house of correction, or other places provided by the city for the incarceration of offenders, until such fine, penalty and costs shall be fully paid.

Reference to section and title of ordinance sufficient.

Commitment.

SEC. 4. The City Council shall have power to provide, by ordinance, that every person so committed shall be required to work for the corporation at such labor as his or her strength will permit, not exceeding ten hours each working day; and for such work the persons so employed, to be allowed one dollar for each day's work on account of such fine and costs.

Persons committed required to work.

SEC. 5. Any constable or sheriff of a county may serve any process or make any arrest authorized to be made by any city officer.

Constable or Sheriff may serve process.

## ARTICLE VI.

### OFFICERS, THEIR POWERS AND DUTIES.

\* \* SECTION 1. There shall be elected in all the cities of this Territory the following officers: In cities of the first class, a Mayor, elective at large, and three Councilmen from each municipal ward. In cities of the second class, a Mayor, elected at large, and two Councilmen from each ward. In cities of the third class, a Mayor and seven Councilmen, elected at large; and, in addition, there shall be elected in all of said cities a Recorder, Treasurer, Assessor and Collector,

Elective officers.

Marshal, and in cities of the first and second class, a Justice of the Peace from each municipal ward, and in cities of the third class, two Justices of the Peace, to be elected at large; *Provided*, That in the case of any incorporated city in which, at the time of the passage of this act, the members of the Board of Aldermen or Council are elected from districts or wards, the provisions of this section shall not apply, nor shall this act in any manner interfere with the existing qualifications of electors or officers, or with the manner of selecting the officers.

Term. \* \* SEC. 2. The elective officers of a city shall hold their respective offices for two years and until their successors are elected and qualified.

Appointive officers. \* \* SEC. 3. There shall be appointed by the Council, in cities of the first and second class, a City Attorney, Surveyor, Watermaster, Sexton, Supervisor of Streets, Auditor, and such other officers and agents as may, by the City Council, be deemed necessary or expedient, and the Council, in cities of the third class, may appoint any of said officers, or such officers and agents as may be deemed necessary.

Term. \* \* SEC. 4. The appointive officers of the city shall hold their respective offices for two years, unless sooner removed by the City Council.

Oath of elective officers, \* \* SEC. 5. Every person elected to an elective, judicial or administrative office, shall, before he enters upon the duties thereof, take and subscribe an oath, or affirmation, that he will support the Constitution and laws of the United States, the laws of this Territory, and the ordinances of—city, and that he will well and truly perform all the duties of his office to the best of his knowledge and ability; and shall file the same with the City Recorder; and every such officer shall, be-

fore entering upon the duties of his office, execute a bond with good and sufficient sureties, to be approved by the Mayor, payable to the city, in such penal sum as may, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of his office, and the payment of all moneys received by such officer, according to law and the ordinances of said city; *Provided*, That the bond of the Mayor shall be approved by the City Council; *Provided further*, That the Treasurer's bond shall not be fixed at a sum less than the amount of the whole tax for the current year.

SEC. 6. Whenever the inhabitants of any Territory incorporate under this act, the officers first elected shall give bonds, as mentioned in the preceding section, in the penal sum of not less than five hundred dollars, such bonds to remain in force until the passage of ordinances or resolutions by the Council of such corporation providing for the giving of bonds by said officers.

Bonds of  
officers first  
elected.

\* \* SEC. 7. The City Council may require bonds of all officers appointed by them, and may at any time require further and additional bonds of all officers, elected and appointive. All bonds given by the officers of any city shall be filed with the Recorder, except the bond of the Recorder, which shall be filed with the Treasurer.

Bonds of  
appointive  
officers.

Where filed.

\* \* SEC. 8. Every officer of the city shall, within five days after notification and request, deliver to his successor in office all property, books and effects of every description in his possession, belonging to the city or appertaining to his said office; and upon his refusal to do so, shall be liable for all damages caused thereby, and to such penalty as may by ordinance be prescribed.

Delivery of  
property.

Eligibility of officers. \* \* SEC. 9. No person shall be eligible to any office who is not a qualified elector of the city, nor shall any person be eligible to any office who is a defaulter to the corporation.

Officers not to be interested in city contracts, etc. \* \* SEC. 10. No officer shall be directly or indirectly interested in any contract work, or business of the city, or the selling of any article, the expense, price, or consideration of which is paid from the treasury, or by any assessment levied by any act or ordinance. Nor in the purchase of any real estate, or other property belonging to the corporation, or which shall be held for the taxes or assessments or by virtue of legal process at the suit of said corporation, Mayor or other officer of the city.

Not to hold any other city office. \* \* SEC. 11. In cities of the first and second class, no Mayor, Councilman, Recorder or Treasurer shall hold any other office under the city government during his term of office.

Compensation. \* \* SEC. 12. The Mayor and Councilmen of any city shall receive such compensation as the City Council may by ordinance direct, but their compensation shall not be changed during their term of office; and all other officers may receive a salary, fee, or other compensation, to be fixed by ordinance; and after the same has been once fixed, such fees or compensation shall not be increased or diminished to take effect during the term for which any such officer was elected or appointed.

## ARTICLE VII.

### CITY RECORDER.

Office, where kept. SECTION 1. The City Recorder shall keep his office at the place of meeting of the City Council, or some other place convenient thereto,

as the Council may direct. He shall keep the corporate seal, and all papers and records of the city, and keep a record of the proceedings of the City Council, whose meetings it shall be his duty to attend; copies of all papers filed in his office and transcripts from all records of the City Council certified by him under the corporate seal, shall be evidence in all courts as if the original were produced. He shall draw and countersign all orders upon the Treasurer in pursuance of any order or resolution of the City Council, and keep a full and accurate account thereof in books provided for that purpose.

Duties.

Draw and countersign orders.

Keep accounts.

SEC. 2. He shall report to the City Council on the first days of February and August of each year, the receipts and disbursements, and financial condition of the city, which report shall be published within thirty days thereafter, in a newspaper published within the city, if there be one, and if not, by posting said report in three public places within the city. He shall make and keep a list of outstanding city bonds, to whom issued, for what purpose, when and where payable, and the rate of interest they respectively bear. He shall countersign all contracts made in behalf of the city, and every contract made in behalf of the city, or to which the city is a party, shall be void unless signed by the Recorder. He shall keep regular books of account, in which shall be entered all indebtedness of the city, and shall at all times show the financial condition of the city, the amount of bonds, orders, certificates or other evidences of indebtedness which have been redeemed. He shall keep accounts with all receiving and disbursing officers of the city; and shall examine all reports, books, papers, vouchers and

Financial Reports.

Publication.

List of bonds.

Countersign contracts.

Books of account.

accounts of the City Treasurer, and shall perform such other duties as the City Council may direct.

## ARTICLE VIII.

### CITY ATTORNEY.

Duties.

SECTION. 1. The City Attorney shall perform all professional services incident to his office, and all such duties as may, by ordinance, be required of him; and when requested, shall furnish opinion upon any subject submitted to him by the City Council or its committees.

## ARTICLE IX.

### CITY TREASURER.

Duties.

SECTION 1. The City Treasurer shall receive all moneys belonging to the city, including all taxes, licenses and fines, and keep an accurate and detailed account thereof, in such a manner as provided in this act, or as the City Council from time to time by ordinance direct. He shall make a settlement with the Recorder at the end of every month, and turn over all warrants, interest, coupons, bonds or other evidence of the indebtedness of the city, which may have been redeemed by him during the month, taking the receipt of the Recorder therefor, and all such warrants, orders or other evidence of indebtedness shall be cancelled by him and have written or stamped thereon the date of their payment or redemption.

Monthly settlement.

Warrants to be cancelled.

Paying out money.

SEC. 2. He shall pay no money out except upon the warrant of the Recorder, except bonds and interest coupons, which, when due, may be paid upon presentation, or, in case the same is payable at some other place, then the money for



their redemption shall be sent to the place where they are payable, in time to meet such payments when due.

SEC. 3. All warrants shall be paid in the order in which they shall be presented, and the Treasurer shall note upon the back of each warrant presented to him, the date of such presentation, and when payment is made, the date of such payment; *Provided*, That any warrant shall be paid by the Treasurer in case a sufficient amount of money shall remain in the treasury to pay all warrants issued previous to such warrants. How warrants shall be paid.

SEC. 4. The Treasurer shall give every person paying money to the city treasury a receipt therefor, specifying the date of payment and upon what account paid; and he shall also file the duplicate of such receipt with the Recorder at the date of his monthly report. Receipt.

SEC. 5. The Treasurer shall keep all moneys in his hands, belonging to the city, separate and distinct from his own moneys; and he is hereby expressly prohibited from using, either directly or indirectly, the corporation moneys, or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever, and any violation of this provision shall subject him to immediate removal from his office by the Mayor and City Council, and upon conviction, they are hereby authorized to declare such office vacant, and the City Council shall appoint a successor for the term unexpired of the officer so removed. How moneys must be kept.

SEC. 6. The Treasurer shall report to the City Council, at such times as may be prescribed by ordinance, giving a full and detailed account of all receipts and expenditures since his last report, and also the state of the treasury. He shall Report.

Warrant registry.

also keep a registry of all warrants redeemed and paid during the year, describing such warrants, their date amount, number, the fund from which paid and person to whom paid, specifying also the time of payment. And all such warrants shall be examined by the City Council at the time of making such report.

Special assessment moneys.

SEC. 7. All moneys on any special assessment shall be held by the Treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever.

SEC. 8. The Treasurer shall perform such other duties as may be prescribed by ordinance.

## ARTICLE X.

### COLLECTION OF TAXES AND DUTIES OF ASSESSOR AND COLLECTOR.

City Council to define by ordinance powers of Assessor and Collector, etc.

SECTION 1. The City Council shall have power, and it shall be their duty to regulate, by ordinance, the form of assessment rolls, and prescribe the duties and define the powers of Assessors and Collectors, and to provide, by ordinance, for the assessment, levy, and collection of all city taxes, general or special, which shall conform, as nearly as the circumstances of the case may permit, to the provisions of the laws of this Territory in relation to the assessment, levy and collection of territorial and county taxes, except as to the officers by whom such duties are to be performed. And the officers of said city engaged in the assessing and collecting of said taxes shall exercise all the powers conferred upon county assessors and collectors. All taxes assessed, together with any

percentage imposed for delinquency and the costs of collection, shall constitute liens on the property assessed from and after the 31st day of October in each year; which liens may be enforced by a summary sale of such property, and all necessary certificates and deeds may be executed and delivered for the transfer of such property; *Provided*, That any property sold for such taxes shall be subject to redemption within the time and in the manner provided, or that may hereafter be provided by law for the redemption of property sold for territorial or county taxes. All deeds made upon any sale of property for taxes or special assessments under the provisions of this act shall have the same force and effect in evidence as is or may hereafter be provided by law for deeds of property sold for non-payment of territorial or county taxes.

Taxes to constitute liens.

How enforced.

Redemption.

Tax deeds.

SEC. 2. The City Assessor and Collector shall complete the assessment of the city and return his roll to the Council on or before the first Monday of June of each year. On the return thereof the City Council shall fix a day for hearing objections thereto.

Return of assessment roll.

SEC. 3. The City Council shall constitute a board of equalization and shall meet at the time fixed as aforesaid, and may meet and adjourn from day to day until its work is completed. Said board shall equalize and correct said assessment roll, and may change the valuation of assessment of any real or personal property, by increasing or diminishing the assessed valuation thereof, as shall be reasonable and just, to render taxation uniform. Such board shall proceed as near as may be in the same manner provided by law for the regulation of county boards of equalization. During the session of said board any person or

Board of Equalization.

his agent may apply to the board for a correction of any alleged errors in the listing or valuation of his property.

Powers of board of equalization.

\* \* \* SEC. 4. Said board of equalization is hereby authorized to administer oaths in the discharge of official duties, and it may require property owners to give a statement to it of their taxable property and its value, under oath, and it may summon such other persons to appear and testify before it as it may deem necessary to carry out the provisions of this act.

Taxes, when due and when delinquent.

SEC. 5. The Assessor and Collector shall be furnished, within twenty days after the assessment rolls are corrected by the board, with a list of the taxes to be collected. Said taxes shall be due on the first day of September, and delinquent on and after the 31st day of October of each year; and said Assessor and Collector shall proceed to collect said taxes in the manner provided for the collection of territorial and county taxes. The said roll shall in all cases be evidence on the part of the corporation.

Other duties.

SEC. 6. The City Council may prescribe further and other duties and regulations to govern the Assessor and Collector, and provide by ordinance for the assessment and collection of taxes.

## ARTICLE XI.

### JUDICIAL POWER.

Justices' courts.

\* \* \* SECTION 1. The judicial power of the city shall be vested in the Justices of the Peace of such city. Said Justices shall have exclusive original jurisdiction of cases arising under, or by reason of the violation of any ordinance or by-law of said city, and shall have the same jurisdic-

tion as other Justices of the Peace in cases arising under the laws of the Territory. The rules of practice and mode of proceeding in said justices' courts shall be the same as are or may be prescribed by law for justices' courts in like cases. From all final judgments of said justices' courts, whether civil or for violation of any ordinance of said city, an appeal shall be allowed to either party against whom the judgment is rendered, to the district or other appellate court provided by law, in the same manner and upon the same terms as provided by law for appeals from justices' courts in similar cases.

Appeals.

\* \* SEC. 2. Nothing in this act shall be construed to require any of such Justices to confine his place of holding his court or hearing, or determining cases triable before such Justice, to the municipal ward from which he is, or may be elected.

Place of holding court.

## ARTICLE XII.

SECTION 1. The City Surveyor shall perform all such duties as may by ordinance be required.

Surveyor's duties.

## ARTICLE XIII.

### DUTIES OF MARSHAL AND POLICE.

SECTION 1. The Marshal shall be *ex-officio* Chief of Police. He shall, under the direction of the Council, direct and control the police of the city, and whenever the interests of the city demand, by and with the consent of the Mayor, appoint such number of special police as may be required. He shall attend the sittings of the City Council, and perform such duties as may, by

Marshal *ex-officio* Chief of Police.

Specials.

Duties of Marshal.

ordinance, be prescribed. He shall have, in the discharge of his duties, like powers, and be subject to like responsibilities as sheriffs and constables, in similar cases; and he shall, by himself or deputy, execute and return all processes directed to him, suppress riots, disturbances, breaches of the peace, apprehend all persons committing any offense against the laws of the Territory or the ordinances of the city. And at all times he shall diligently and faithfully discharge his duties and enforce all ordinances and regulations of the city for the preservation of peace and good order and the protection of the rights and property of all persons.

Justices' warrants, how directed.

SEC. 2. All warrants issued by the city justice for the violation of any general law of this Territory or ordinance of this city shall run to the sheriff, or any constable of the county, or to the Marshal, or any policeman of the city.

Police officers, powers and duties.

SEC. 3. All police officers of any city shall possess the powers of constables by the laws of this Territory; and any warrant for search or arrest issued by any Justice of the Peace of this Territory, may be executed in any part thereof by any police officer. They shall execute and serve all warrants, process, commitments and all writs whatsoever issued by the city Justices of the Peace. It shall be the duty of the police force, in any city, at all times, to preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, protect persons and property, remove nuisances existing in the public streets, roads and highways, enforce every law relating to the suppression of all offenses, and perform all duties enjoined upon them by the ordinances of the City Council.

SEC. 4. The several members of the police force shall have power and authority, without process, to arrest and take into custody any person who shall commit or threaten, or attempt to commit, in the presence of such member, or within his view, any breach of the peace, or any offense directly prohibited by the laws of this Territory, or by any ordinance of his city. Same.

## ARTICLE XIV.

### FINANCES.

SECTION 1. The fiscal year of each city organized under this act shall commence on the first day of February of each year. Fiscal year.

SEC. 2. At the regular meeting of the City Council in the month of June of each year, said Council shall, by ordinance or resolution, levy on the assessed value of all real and personal property within the city, made taxable by the laws of the Territory: Annual levy of taxes.

First.—Not to exceed five mills on the dollar to defray the contingent expenses of the city. Appointment.

\* \* \* Second.—And said Council shall have power to annually levy and collect, at such times as they may determine by ordinance or resolution, on all of said taxable property, not to exceed ten mills on the dollar to purchase water sources, streams and land upon which said streams are appropriated, canals, construct waterworks, and supply water for irrigation and other purposes; *Provided*, An acreage tax may be assessed in lieu of said tax whenever the Council may deem said tax just. Same.

\* \* \* Third.—Not to exceed five mills on the dollar to open, improve and keep in repair the streets and sidewalks of the city. Same.

Same.           \* \* Fourth.—Not to exceed five mills on the dollar to construct and keep in repair sewers and drains.

Same.           \* \* Fifth.—And to levy and collect local assessments, as herein provided, to construct and keep in repair sidewalks, sewers, drains and streets, and supply the city, or inhabitants thereof, with water and with gas and other means of illumination.

## ARTICLE XV.

### LOCAL ASSESSMENTS.

Local taxes for sewerage paving, etc.

Annual general tax for particular work.

\* \* SECTION 1. The City Council are authorized and empowered to divide the city into districts for sewerage, paving, or other like purposes, and to provide by ordinance a system of doing any or all work in or upon the streets, highways, sidewalks, and other public places of such city, or for making therein street improvements and repairs, and for constructing sewers, drains, water works, and laying of pipes and mains for water and gas; and for the payment of the costs and expenses thereof, said Council shall have power by ordinance to determine the form and mode of local assessments, and levy and collect local taxes, in proportion to benefits upon the property within said districts; or may levy and collect such annual general tax, if such there be, for the particular work to be carried on, as provided in subdivisions 2, 3 and 4 of Section 2, Article XIV, of this act; or may draw upon the contingent or general fund of the city, provided for in subdivision 1 of Section 2, Article XIV, of this act, or may use either or all of said taxes, when such use would be just. Local taxes, levied for the pur-



pose of paying the costs of constructing sewers or drains within the city, may be levied upon the real estate lying and being within the sewerage district in which such sewer or drain may be situated, to the extent of benefits to such property by reason of such improvements, the benefits to such property to be determined by said Council, sitting as a board of equalization, after notice given, as hereinafter provided, or according to the front foot of the lots or real estate within such district, or according to such other rules as the Council may adopt for the distribution or adjustment for such costs. Local taxes, levied for the purpose of grading, widening, opening, extending, paving, or repairing in any manner, streets or sidewalks, or for the laying of water or gas pipes, shall be levied upon the lots or pieces of ground adjacent to, or abutting upon said streets or sidewalks, or in such other manner as the Council, sitting as a board of equalization, may determine to be just; *Provided*, That this provision shall not apply to ordinary repairs of streets or sidewalks, and one-half of the expense of bringing streets, alleys or sidewalks to the established grade shall be paid out of the street or contingent fund; *Provided further*, That in all cases where the expense of any of the said improvements mentioned in this section is to be defrayed, either in whole or in part, by local assessment, the Council shall give notice of such intention, which notice shall be published at least twenty days in a newspaper published within such city. Such notice shall describe the improvements so proposed, the boundaries of the district to be affected or benefited by such improvement, the estimated cost of such improvement, and designate the time set for such hearing. If at or

Local tax for sewerage, how levied.

Local tax for improving streets or laying water or gas pipes, how levied.

before the time so fixed written objections to such improvements, signed by the owners of one-half, in value, of the property so to be affected or benefited, as shown by the last preceding city assessment roll, be not filed with the Recorder, the Council shall be deemed to have acquired jurisdiction to order the making of such improvement. Any special assessments made and levied to defray the costs and expenses of any such work, and the costs of collection, shall constitute a lien upon and against the property upon which such is made and levied, from and after the date of the order for such assessment, and said assessment shall be collected in like manner as other city taxes.

## ARTICLE XVI.

### ELECTIONS.

Elections.  
when held.

SECTION 1. The election in all cities hereafter organized under this act for the municipal officers provided for in Section 1, Article VI, of this act, shall be held on the second Monday in February, 1889, and biennially thereafter, and upon the election and qualification of said officers, they shall immediately enter upon the duties of their respective offices; and all offices in cities or towns incorporating under this act, upon the election and qualification of said officers, are hereby declared vacant and abolished.

Offices de-  
clared vacant.

Conduct of  
elections.

SEC. 2. All elections held in cities organized under this act, shall be conducted in accordance with the general election law of the Territory, so far as the same may be applicable; and no person shall be entitled to vote at such election unless he shall be a qualified elector of the county, duly registered, and shall have resided in such city for

at least six months next preceding such election; and every legal qualified voter, residing within the limits of said city, shall be entitled to vote at the polls within the ward where he resides.

## ARTICLE XVII.

### HOW CORPORATE LIMITS MAY BE EXTENDED.

\* \* SECTION 1. Any city now existing in this Territory that shall become incorporated under this act may extend its corporate limits in the manner hereinafter provided.

Corporate limits, how extended.

\* \* SEC. 2. The boundaries of any municipal corporation may be altered and new territory included therein after proceedings had as required in this section. The Council of such corporation shall, upon receiving a petition therefor, signed by not less than two-fifths of the property owners thereof, submit to the electors of such corporation, and of the electors residing in the territory proposed by such petition to be annexed to such corporation, the question whether such territory shall be annexed to such corporation, and become part thereof; such question shall be submitted at the next general municipal election, and such Council shall give notice thereof by publication in a newspaper published in such corporation, for a period of four weeks prior to such election, but if no newspaper be published therein, then by posting notices for at least four weeks in at least four public places in said territory proposed to be annexed. Such notices shall distinctly state the proposition to be so submitted, and shall designate, specifically, the boundaries of the territory so proposed to be annexed, and the electors shall be notified thereby to vote upon such proposition

Same.

by placing upon their ballots the words "For annexation," or "Against annexation." Such City Council shall also designate the place or places at which the poll will be opened in such territory so proposed to be annexed, which place or places shall be that or those used for general election purposes within such territory, if such there be. The election shall be conducted, the votes canvassed, and returns made in the manner prescribed by law. The votes cast in such territory so proposed to be annexed, shall be canvassed separately, and if it shall show upon such canvass that the majority of all the votes cast in such territory, and a majority of the votes cast in such corporation, shall be for annexation, such Council shall order to be entered upon their minutes, and make a certified abstract of such vote, which abstract shall show the whole number of electors voting in such territory and the number voting in such corporation, the number of votes cast in each for annexation, and the number of votes cast in each against annexation. It shall be the duty of the person or persons to whom returns of said election are made to file with the Secretary of the Territory the information contained in said certificate. From and after the day of the filing of such abstract, such annexation shall be deemed complete and thereafter such territory shall be and remain a part of such corporation.

Filing plat.

\* \* \* SEC. 3. The Mayor of any city incorporated under this act shall cause to be filed in the office of the county recorder in the county wherein said city is located, a plat showing the corporate limits and boundaries of his city at the time of its incorporation under this act, and any change in said city limits made subsequent to its incorporation under this act.

## ARTICLE XVIII.

## RESTRICTION OF CORPORATE LIMITS.

\* \* SECTION 1. Any city now existing in this Territory may restrict its corporate limits in the following manner: On petition, in writing, signed by not less than three-fourths of the electors residing within the territory desired to be detached, and not less than one-fourth of the remaining electors in said city, to the City Council thereof, it shall be the duty of said Council to submit the question to the electors of such city at the next municipal election and to give notice in the same manner and for the same time as provided in Section 2, Article XVII, of this act; *Provided*, That no territory shall be detached, nor shall any election be ordered when such territory does not lie upon the border of said city limits, or is laid out into city lots or blocks.

Corporate limits, how restricted.

\* \* SEC. 2. Such notice shall distinctly state the proposition to be submitted, and shall designate, specifically, the boundaries of the territory proposed to be detached, and the electors shall be notified to vote upon such question by placing upon ballots the words "For detachment," or "Against detachment." If a majority of all the votes cast in said city shall be "For detachment," the City Council shall cause to be entered upon their minutes a true copy of the returns of said election, showing the number of votes cast for and against the question.

Same.

\* \* SEC. 3. It shall be the duty of the Mayor of said city to have recorded in the county records, an accurate map of the territory so detached and the city as restricted in its limits, and he shall also make publication at least four times in some newspaper having general circulation in

Same.

the county, of the result of such election, and designate the territory so detached. Upon making the proper entries and filing with the recorder the affidavit of publication, the detachment of such territory shall be deemed complete, and said territory shall be no longer subject to the jurisdiction of said city.

## ARTICLE XIX.

### HOW CITIES MAY DISINCORPORATE.

\* \* SECTION 1. On petition in writing, signed by not less than one-half of the electors of any city, as shown by the registration list of the preceding year, to the City Council of any city, praying for the disincorporation of said city, it shall be the duty of said Council to submit such question to the electors of said city, at the next general municipal election, and to give notice thereof by publication in a newspaper published in said city at least once a week, for a period of four successive weeks prior to such election, or if no papers be published therein, then by posting notices for at least four weeks prior to said election, in eight or more public places in said city; *Provided*, That the question of disincorporating the city shall not be submitted at any election, unless the obligations and liabilities of such city have been fully met and provided for. Such notices shall distinctly state the proposition to be voted for, the time and place of the election, and the electors shall be notified thereby to vote upon such proposition by placing upon their ballots the words, "For disincorporation," or "Against disincorporation." The election shall be conducted, the votes canvassed and the returns made in the same manner as provided by law.

Manner of disincorporation of cities.

\* \* SEC. 2. If three-fourths of the votes cast at such election shall be for disincorporation, the corporate existence of such city shall be ended, and the officers elected shall not qualify, and the terms of incumbent officers shall be deemed to have expired. Same.

\* \* SEC. 3. The retiring officers of such disincorporated city shall deposit with the treasurer of the county in which said city is situated, all the records, books, maps and other personal property belonging to said city, and all moneys, accounts, notes and other property, both real and personal, belonging thereto, shall revert to and vest in said county; and said county is hereby empowered to sue in its own name for the collection of all accounts and the enforcement of any claim of said city, and to use the property so vesting as all other property belonging to said county. Same.

\* \* SEC. 4. Whenever any city is disincorporated, as herein provided, it shall be the duty of the retiring Mayor of such city to have recorded a copy of said petition, the order of the City Council in submitting the proposition to the electors, a certified copy of said notices and the number of votes cast for and against disincorporation, by the county recorder of the county in which such city is situated, and he shall further make publication of such disincorporation, by publishing for at least four successive weeks in some newspaper having general circulation within the Territory. Recording papers.

## ARTICLE XX.

### MISCELLANEOUS.

\* \* SECTION 1. When by this act the power is conferred upon the City Council to do and per- Powers of City Council.

form any act or thing, and the manner of exercising the same is not specifically pointed out, the City Council may provide by ordinance the manner and details necessary for the full exercise of such power.

Same.           \* \* SEC. 2. The duties, powers and privileges of all officers in any way connected with the city government not herein defined, and the defining by this act of the duties of city officers, shall not preclude the City Council from defining, by ordinance, further and additional duties to be performed by any such officer.

Same.           \* \* SEC. 3. The City Council may pass all ordinances necessary to carry into effect any of the powers herein granted, and may prescribe punishments for any violation of the same; *Provided*, That such punishments be by fine in any sum less than three hundred dollars, or by imprisonment not exceeding six months, or both.

Fines to be paid into treasury.           SEC. 4. All fines, penalties and forfeitures collected for offenses against the ordinances of the city shall be paid into the city treasury.

Parts of law applicable to all cities.           SEC. 5. Article IV; Section 3 of Article V; Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12 of Article VI; Section 4 of Article X; Article XI; subdivisions 2, 3, 4 and 5 of Section 2 of Article XIV; Article XV; Articles XVII, XVIII, XIX, and Sections 1, 2 and 3 of Article XX, of this act, are hereby made applicable to all incorporated cities now organized in this Territory and shall be construed to be cumulative and supplemental to the charters of said cities.

When in force.           SEC. 6. This act shall take effect from and after its passage and approval.

Approved March 8, 1888.



# AN ORDINANCE

REVISING AND ARRANGING THE

## ORDINANCES OF SALT LAKE CITY.

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*Be it ordained by the City Council of Salt Lake City as follows :*

### CHAPTER I.

#### GENERAL PROVISIONS.

1. These Ordinances to be known as the "Revised Ordinances of Salt Lake City."
2. Pending proceedings and accrued rights not to be affected, etc.
3. Meaning of words used in Revised Ordinances.
4. Charter to have the same effect as if specially ordained.
5. Penalty which may be imposed when not otherwise provided.
6. Employers and others concerned in criminal acts punishable.
7. Implied power to license.
8. "Street" includes alleys, courts, public places, etc.
9. When an ordinance shall go into effect.

SECTION 1. The ordinances contained in this chapter and the chapters following shall be known as the "Revised Ordinances of Salt Lake City," and so far as their provisions are the same in effect as those of previously existing ordinances, they shall be construed as continuations thereof ;

These ordinances to be known as the Revised Ordinances of Salt Lake City.

but subject to the above limitation and the provisions of the next section. All ordinances of the city heretofore in force are hereby repealed.

Pending proceedings and accrued rights not to be affected, etc.

SEC. 2. These Revised Ordinances shall not affect any act done, any right accrued, any penalty incurred, any suit, prosecution, or proceeding pending, or the tenure of office of any person holding office, at the time when they take effect; nor shall the repeal of any ordinance thereby have the effect of reviving any ordinance theretofore repealed or superseded.

Meaning of words used in the Revised Ordinances.

SEC. 3. Words used in the Revised Ordinances in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular; the word person includes firm and corporation as well as a natural person.

Charter to have same effect as if specially ordained.

SEC. 4. The act of incorporation of said city, approved January 20, 1860, and all acts amendatory thereof, are hereby declared to have the same force and effect as if the provisions thereof had been specially ordained.

Penalty which may be imposed when not otherwise provided.

SEC. 5. Whoever violates any provision of any ordinance of the city, whether included in these Revised Ordinances or hereafter enacted, shall, unless other provision is made, be liable to a penalty of not more than fifty dollars for each offense.

Employers and others concerned in criminal acts punishable.

SEC. 6. When anything is prohibited in an ordinance, not only the persons actually doing the prohibited thing, but, also, the employers and all other persons concerned therein, shall be liable to the penalty prescribed.

Implied power to license.

SEC. 7. When, in an ordinance, anything is prohibited from being done without the license of a certain officer or officers, such officer or

officers shall have the power to license such thing to be done.

SEC. 8. The words "street" and "streets," when used in an ordinance, shall be construed as including alleys, lanes, courts, public squares, public places and sidewalks, unless such construction would be inconsistent with the manifest intent of the ordinance.

"Street" includes alleys, courts, public places, etc.

SEC. 9. An ordinance, unless otherwise expressly provided therein, shall not go into effect until thirty days after the date of its passage.

When an Ordinance shall go into effect.

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## CHAPTER II.

### OF MUNICIPAL WARDS.

1. Division and number of wards.
2. First Municipal Ward.
3. Second Municipal Ward.
4. Third Municipal Ward.
5. Fourth Municipal Ward.
6. Fifth Municipal Ward.

SECTION 1. The territory embraced within the corporate limits of Salt Lake City shall be, and the same is hereby, divided into five municipal wards, bounded and described as herein set forth.

Division and number of wards.

SEC. 2. All that portion of the corporate limits of said city lying within the following boundaries shall constitute the First Municipal Ward, to-wit: Beginning at a point at the intersection of East Temple and Third South streets, and extending thence east through the centre of

First municipal ward.

Third South street to the western boundary of the United States Military Reservation; thence south to the southwest corner of said reservation; thence east to the southeast corner of said reservation; thence north to a point opposite the centre of Third South street; thence east to the eastern boundary of the city; thence south to the southern boundary of the city; thence west to a point opposite the centre of East Temple street; thence north to the place of beginning.

Second municipal ward.

SEC. 3. All that portion of the corporate limits of Salt Lake City, lying within the following boundaries, shall constitute the Second Municipal Ward, to-wit: Beginning at a point at the intersection of East Temple and South Temple streets, and extending thence west through the centre of South Temple street, to the western boundary of the city; thence south to the southwest corner of said city limits; thence east to the river Jordan; thence northward along the west bank of said river to a point opposite the centre of Tenth South street; thence east to a point opposite the centre of East Temple street; thence north to the place of beginning.

Third municipal ward.

SEC. 4. All that portion of the corporate limits of said city, lying within the following boundaries, shall constitute the Third Municipal Ward, to-wit: Beginning at a point at the intersection of South Temple and East Temple streets, and extending north through the centre of East Temple street to its junction with Arsenal street; thence northerly through Arsenal street to its junction with Pine street; thence northerly through Pine street to its junction with Currant street; thence east on a line through the centre of Currant street to the centre of the bed of City Creek; thence north to the northern boundary of

the city; thence west to the northwest corner of the corporate limits of the city; thence south to a point opposite the centre of South Temple street; thence east to the place of beginning.

SEC. 5. All that portion of the corporate limits of said city, lying within the following boundaries, shall constitute the Fourth Municipal Ward, to-wit: Beginning at a point at the intersection of South Temple and East Temple streets, and extending north through the centre of East Temple street to the point of its junction with Arsenal street; thence northerly through Arsenal street to its junction with Pine street; thence northerly through Pine street to its junction with Currant street; thence east on a line through the centre of Currant street to the centre of the bed of City Creek; thence north to the northern boundary of the city; thence east to the northeast corner of the corporate limits of the city; thence south to a point opposite the centre of Third South street; thence west to the eastern boundary of the United States Military Reservation; thence north to the northeast corner of said reservation; thence west to the northwest corner of said reservation; thence south to the centre of South Temple street; thence west to the place of beginning.

Fourth municipal ward.

SEC. 6. All that portion of the corporate limits of said city, lying within the following boundaries, shall constitute the Fifth Municipal Ward, to-wit: Beginning at a point at the intersection of South Temple and East Temple streets, and extending thence east through the centre of South Temple street to the western boundary of the United States Military Reservation; thence south to the centre of Third South street; thence west to the centre of East Temple street; thence north to the place of beginning.

Fifth municipal ward.

## CHAPTER III.

## OF ELECTIONS.

1. Municipal elections, when held. Officers to be elected.
2. Qualifications of voters and office holders.
3. Registrar to apply to county clerk for copy of registry list.
4. Registrars to visit dwellings in order to correct the lists, etc Oath of voter.
5. Registrar to be at office to register voters.
6. Voters changing place of abode.
7. Alphabetical list for each ward to be made out.
8. Notice of election to be given.
9. Judges of Election; how appointed; their duties; vacancy, how filled.
10. Books, blanks, etc., to be furnished; opening in ballot box.
11. Envelopes of uniform color and size to be supplied. Ballot box.
12. Manner of registering votes.
13. Manner of voting.
14. Same.
15. Canvass of votes.
16. Same.
17. Judges to certify to number of votes cast for each candidate, etc. Lists, etc., to be delivered to City Registrar.
18. Returns to be examined before five citizens.
19. Result, how declared.
20. Ballots, how disposed of.
21. Special elections.

Municipal  
elections,  
when held.

Officers to be  
elected.

SECTION. 1. The municipal election of said city shall be held on the second Monday of February, 1888, and biennially thereafter, for the election of the following officers for said city, viz: One Mayor, five Aldermen, one from each municipal ward, nine Councilors, one Recorder, one Treasurer, one Marshal, and one Assessor and Collector, who shall hold their offices for two years and until their successors are elected and qualified to office.

Qualifications  
of voters and  
office holders.

SEC. 2. No person shall be elected or appointed to any office of said city unless he is a citizen of the United States, and has been a constant resident of said city for one year next pre-

ceding such election or appointment. Neither shall any person be eligible to vote at any election unless possessing the qualifications of a voter, as prescribed by the laws of the United States and the Territory of Utah, and has been a constant resident in said city during the six months next preceding said election.

SEC. 3. It shall be the duty of the Registrar of voters of said city, before the first day of November, biennially, to apply to the clerk of the county court of Salt Lake County for a certified copy of the registry lists of voters, as last returned, of all the precincts, or parts thereof, within the corporate limits of Salt Lake City. The proper fees for which lists shall be tendered and paid out of the city treasury

Registrar to apply to County Clerk for copy of registry list.

SEC. 4. Upon the receipt of said lists, and before the third Monday in December preceding any municipal election, the City Registrar, in person or by deputy, shall visit every dwelling house in each municipal ward, and make careful inquiry if any person, whose name is on said registration list, has died, or removed from the ward, or is otherwise disqualified as a voter, and if so, to erase the same therefrom; or whether any qualified voter resides therein, whose name is not on said registration list, and if so, he shall ascertain upon what ground such person claims to be a voter, and shall require any such person entitled to vote and desiring to be registered, to take an oath or affirmation showing that he possesses all the qualifications of an elector under the laws of Utah Territory and the statutes of the United States applicable thereto. Upon the receipt of such affidavit, the Registrar as aforesaid shall place the name of such voter upon the registry list of the voters of said municipal ward.

Registrar to visit dwellings in order to correct the lists, etc

Oath of voter.

Registrar to be  
at office to  
register voters.

SEC. 5. It shall also be the duty of the Registrar, in person or by deputy, during the week commencing the fourth Monday in December, preceding each election, at his office, to enter on his registry list the name of any voter that may have been omitted, on such voter appearing and complying with the provision of the preceding section of this ordinance required of voters for registration purposes.

Voters chang-  
ing place of  
abode.

SEC. 6. Voters removing from one municipal ward to another may appear before the Registrar at any time until within fifteen days of the election, and have their names erased from the registry list; and they may thereupon have their names registered in the ward to which they may remove.

Alphabetical  
list for each  
ward to be  
made out.

SEC. 7. Upon the completion of the registration it shall be the duty of the Registrar to proceed to make out a list in alphabetical order, for each municipal ward, containing the names of all the registered voters of such ward; and he shall file and carefully preserve all said affidavits and registry lists, and shall make a copy of each ward registry list, and cause the same to be posted up at least fifteen days before any election, at or near the place of election, and shall make and transmit another copy to the judges of election.

Notice of elec-  
tion to be  
given.

SEC. 8. The City Registrar shall cause a notice of the time and places of voting and the number and kind of officers to be elected, to be posted up in each municipal ward, or advertised in some newspaper published within said city, at least fifteen days previous to the time of holding said election, and setting forth therein that the polls will open at one hour after sunrise and continue open until sunset.



SEC. 9. In January preceding each municipal election, there shall be appointed three capable and discreet persons, in each municipal ward, one at least of whom shall be of the political party that was in the minority at the last previous municipal election, if any such party there be in such ward, to act as judges of election, and they shall designate one of the persons appointed to preside, and the other two to act as clerks of said election. And certificates of said appointments shall be transmitted by mail or other safe conveyance to the persons so appointed, who, previous to entering upon said office, shall take and subscribe an oath, before any person authorized to administer oaths, to the effect that they will well and faithfully perform all the duties thereof to the best of their ability, and that they will studiously endeavor to prevent any fraud, deceit or abuse at the election over which they preside. If, in any ward, any of such judges decline to serve or fail to appear, the voters of said ward, first assembled on the day of election, to the number of six, at or immediately after the time designated for opening the polls, may elect a judge or judges, to fill the vacancy, and any person so elected shall qualify as hereinbefore provided.

Judges of Election.

How appointed.

Their duties.

Vacancy; how filled.

SEC. 10. There shall be provided the necessary books, blanks, stationery and ballot boxes, which ballot boxes shall be made of galvanized iron of suitable size, with Yale or other safe locks and two keys, one of the keys to be kept by the judges of election and one by the City Registrar. There shall be an opening through the lid of each ballot box of sufficient size to admit a single ballot.

Books, blanks, etc., to be furnished.

Opening in ballot box.

Envelopes of uniform color and size to be supplied.

SEC. 11. There shall be furnished the judges of election in each ward a sufficient number of plain envelopes, for election purposes; said envelopes shall be uniform in color and size, without any marks, writing, printing or device upon them, and no other kind shall be used at any election. Before opening the polls, the ballot box shall be carefully and publicly examined by the judges of election, who shall satisfy themselves that nothing is therein. It shall then be locked and the key thereof delivered to the presiding judge, and said ballot box shall not be opened during the election.

Ballot box.

Manner of registering votes.

SEC. 12. At the opening of the polls at all elections, the judges of election, for their respective wards, shall designate one of the judges acting as clerk, who shall have in custody the registry list of voters, and shall make the entries therein required by law; the other of said judges acting as clerk shall write the name of each person voting, and opposite to it the number of the vote.

Manner of voting.

SEC. 13. Every voter shall designate on a single ballot, written or printed, the name of the person or persons voted for, with a pertinent designation of the office to be filled, and when any question is to be decided in the affirmative or negative, he shall state the proposition at the bottom of the ballot, and write thereunder "Yes," or "No," as he may desire to vote thereon, which ballot shall be folded and placed in one of the envelopes hereinbefore provided for, and delivered to the presiding judge of election, who, shall, in the presence of the voter, on the name of the proposed voter being found on the registry list, deposit it in the ballot box, without any mark what-

ever being placed on such envelope; otherwise the ballot shall be rejected.

SEC. 14. Whenever any ballot shall be deposited in the ballot box, the judge having the registry list shall write the word "voted" opposite the name of the person casting the vote, and the other judge acting as clerk shall write the name of the voter and the number of the vote upon a list to be made by such judge. Same.

SEC. 15. As soon as the polls shall be closed, the judges of election shall immediately proceed to canvass the votes cast at such election, and continue without adjournment until completed, and all candidates voted for may be present, either in person or by representative, to witness said canvass. If any envelope contains two or more ballots of the same kind folded together, one only shall be counted. Canvass of votes.

SEC. 16. The canvass shall commence by the judges who have acted as clerks of the election comparing their respective lists and ascertaining from said lists the number of votes cast. The box shall then be opened and the ballots therein taken out and counted by the judges; and the judges acting as clerks shall each make a list of all the offices voted for. The presiding judge shall then proceed to open the ballots and call off therefrom the names of the persons voted for, and the offices they are intended to fill, and the judges acting as clerks shall take an account of the same upon their lists, and all the ballots shall be immediately returned to the ballot box, and the ballot box shall be locked and securely kept. Same.

SEC. 17. After the canvass shall have been completed, the judges of election shall add up and determine the number of votes cast for each person for the several offices, which result shall Judges to certify to number of votes cast for each candidate, etc.

Lists, etc., to be delivered to City Registrar.

be placed on the lists made by the judges acting as clerks of the election, and the judges shall thereupon certify to the same, and forward all the lists, securely sealed, together with the ballot box, to the City Registrar, by a qualified voter, who shall, before taking the same, take and subscribe an oath to the effect that he will deliver the same to said officer without unnecessary delay, and that he will use his utmost ability to prevent any interference whatever therewith, by any person whomsoever.

Returns to be examined before five citizens.

SEC. 18. On receipt of the ballot boxes and returns of election, the Registrar, in the presence of at least five reputable citizens, selected for that purpose, and who are not publicly known as candidates voted for at such election, who, after being sworn to faithfully perform the duties assigned them, shall break the seal of the returns, and all candidates may be present, as provided in Section 15 of this chapter, and the Registrar and the citizens aforesaid shall carefully examine the returns, and if no irregularity or discrepancy appear therein, affecting the result of the election of any candidate, they shall accept said returns as correct; but if the right of any person voted for, for any office, is in any way affected, then the Registrar and citizens aforesaid shall open the ballots and canvass the same, so far as to determine the rights of the person whose office may be affected. They may also cause to appear before them any persons whom they may deem proper, and take their testimony in relation to said election.

Result, how declared.

SEC. 19. After the completion of the canvass, the Registrar and the said citizens shall declare the result thereof, and the said officer shall immediately make out and transmit a certificate

of election to each person elected to any office; *Provided*, That when two or more candidates for an elective office shall have an equal number of votes for the same office, the election shall be determined by the City Council, who shall give notice to the parties of the time and place at which the tie shall be decided.

SEC. 20. Immediately after the inspection of the ballots, in any ballot box, the ballots shall be returned into the box, which shall be locked and securely sealed, and the boxes shall be so preserved for ten days after the result of the election has been declared; and immediately after the expiration of ten days, and no notice of a contest being filed, requiring further delay, the Registrar shall, in the presence of at least one of the citizens who assisted in the canvass, and such candidates voted for as may be present, open each of the ballot boxes and destroy all ballots contained therein.

Ballots, how  
disposed of.

SEC. 21. All special elections in said city shall be held and conducted, and the returns and canvass of votes thereof made, in accordance with the provisions for regular elections; and notice of such elections shall be given by the City Registrar in the same manner as therein provided; and the persons appointed to act as judges of the municipal election next preceding any special election, shall act as the judges of such special election, subject to the right to fill any vacancy occurring on the day of such special election, as provided for filling vacancies of judges at municipal elections; *Provided*, That unless otherwise provided by law, all persons in said city qualified and entitled to vote at such preceding municipal election, shall be entitled to vote at such special election.

Special elec-  
tions.

## CHAPTER IV.

## OF THE CITY COUNCIL.

1. Time of meeting. Holidays.

SECTION 1. The stated meetings of the City Council shall be held on Tuesday of each week; *Provided*, That when any general holiday occurs on Tuesday the meeting shall be held on Wednesday next following. All meetings may be adjourned from time to time as business may require.

Time of meet-  
ing.

Holidays.

## CHAPTER V.

## OF OFFICERS' APPOINTMENTS.

1. Officers to be appointed by the City Council.
2. Amount of official bonds.
3. Attorney shall approve form of bonds. How conditioned. Liability of sureties.
4. Approval of bonds.
5. New bonds.
6. Custody of bonds.
7. Auditor to provide blanks.

SECTION 1. At its stated meeting on the first Tuesday in April, 1888, and biennially thereafter, the City Council shall appoint an Auditor of Public Accounts, a Supervisor of Streets, an Attorney, a Sealer of Weights and Measures, a Sexton, a Chief of Police, a Jailor, a Watermaster,

Officers to be  
appointed by  
the City Coun-  
cil.

Superintendent of Waterworks, an Assessor and Collector of Water Rates, a Quarantine Physician, a Surveyor, an Inspector of Buildings, a Poundkeeper, a Weighmaster, a Chief of the Fire Department, and an Inspector of Provisions, whose terms of office shall be two years respectively, and until their successors are appointed and qualified.

SEC. 2. The several officers hereinafter named shall give bonds to the city with sufficient sureties and with penal sums as follows, namely: The Mayor \$5,000; Aldermen \$1,000 each; Recorder \$5,000; Treasurer \$50,000; Marshal \$5,000; Auditor of Public Accounts \$10,000; Supervisor of Streets \$5,000; Chief of Police \$5,000; Watermaster \$5,000; Sexton \$2,000; Inspector of Buildings \$2,000; Jailor \$1,000; City Surveyor \$2,000; Assessor and Collector \$50,000; City Attorney \$5,000; Superintendent of Waterworks \$5,000; Assessor and Collector of Water Rates \$5,000; Quarantine Physician \$2,000; Poundkeeper \$500; Weighmaster \$500; Chief of the Fire Department \$5,000; Sealer of Weights and Measures \$500; Inspector of Provisions \$500.

Amount of official bonds.

SEC. 3. Each of said bonds shall be in such form as the City Attorney shall approve, and shall be conditioned for the faithful performance of the duties of the office which is to be filled by the party giving it. The bonds of the Treasurer and the Assessor and Collector shall be conditioned further for the safe custody of the money and other property intrusted to them and to the officers appointed by them; the bond of the City Auditor shall be conditioned further for the delivery to his successor of all the books, accounts, papers and other documents and property which belong to his office; and in the bond of any officer whose duty requires him to make contracts, pur-

Attorney shall approve form of bonds; how conditioned.

Liability of  
sureties.

chases or sales in behalf of the city, there shall be a condition, in substance, that he will not, directly or indirectly, for himself or for others, or by others in trust for him or on his account, have any interest or concern in any contract, agreement, purchase, or sale made by him in behalf of the city. The sureties on all said bonds, except those of Treasurer and Assessor and Collector, shall be jointly and severally liable for the whole penalty of the bond; but the liability of the sureties on the bond of the Treasurer and Assessor and Collector may be limited to a several liability for a portion only of the full penal sums named therein.

Approval of  
bonds.

SEC. 4. Each of said bonds and the sureties thereon shall be approved by the Mayor, and the bonds of the Mayor, Treasurer and Assessor and Collector shall also be approved by the City Council. Each of said bonds shall be executed, approved and delivered before the officer giving it enters upon the duties of his office.

New bonds.

SEC. 5. In case of the death or insolvency of a surety on any of said bonds, the officer who has given the bond shall immediately give a new one, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice so to do by the officer having the legal charge of such bond, such failure shall be a sufficient cause for his removal from office.

Custody of  
bonds.

SEC. 6. The Treasurer shall have the custody of the bond of the Auditor, but all the other bonds before mentioned shall be kept in the custody of the Auditor.

Auditor to pro-  
vide blanks.

SEC. 7. The Auditor shall provide from time to time suitable blanks for the aforesaid bonds, and shall, when requested, furnish such blanks free of charge to any officer who may require them.



## CHAPTER VI.

## OF ANNUAL REPORTS.

1. All officers shall report to Mayor. Substance of report. Mayor's report.

SECTION 1. The Recorder, Treasurer, Marshal, the Aldermen acting as Police Justices, and every officer named in Section 1 of Chapter V, shall, on or before the 15th day of January in each year, make an annual report, in writing, to the Mayor, which reports shall show for each department: First, the moneys received and disbursed, if any, during the year last past; second, the business done or labor performed by said department during the preceding year, and the general condition of such department at the close thereof; third, such recommendations or suggestions as may be deemed of service and benefit for the welfare of the city. Such reports shall comprise in a consolidated form, and for the whole year, the substance of the quarterly or other reports required by other provisions of this ordinance. The reports herein provided for, or portions thereof, as may be deemed necessary by the Mayor, shall, with his own annual report, giving a general summary of the city's business and condition, and such recommendations as he may consider advisable, be submitted to the City Council on or before the first day of February in each year.

All officers shall report to Mayor.

Substance of report.

Mayor's report.

## CHAPTER VII.

## OF THE MAYOR.

1. His oath and duties.
2. Presiding officer of City Council.
3. Shall sign licenses, deeds, etc.
4. May offer reward.
5. Shall superintend public works.
6. May remit fines and grant pardons.
7. Shall report quarterly.

His oath and  
duties.

SECTION 1. The Mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and he shall from time to time give the City Council such information, and recommend such measures as he may deem advantageous to the city.

Presiding offi-  
cer of City  
Council.

SEC. 2. It shall be his duty to preside at the meetings of the City Council, and in case of a tie he shall have a casting vote. He may call special meetings of the City Council as occasion may require.

Shall sign  
licenses,  
deeds, etc.

SEC. 3. The Mayor shall sign all licenses, and is authorized and empowered to sign his name officially for and in behalf of the city, and to sign deeds, bonds, bills, notes, obligations and other agreements, documents and papers to which the city is a party, when so directed by the City Council.

May offer re-  
ward.

SEC. 4. The Mayor may, when necessary, offer a reward for the apprehension of offenders against the ordinances of the city, in any sum not exceeding two hundred dollars.

SEC. 5. The Mayor shall be Superintendent of Public Works and Grounds, and as the highest executive officer of the city, shall exercise a general supervision over each department under whose special chief or superintendent such public works shall be carried on.

Shall super-  
intend public  
works.

SEC. 6. The Mayor is authorized and empowered to grant full pardons for violations of the ordinances of said city, or to remit so much of any fine or penalty as belongs to the city, together with costs of prosecution, when to him it shall seem just and reasonable.

May remit  
fines and  
grant pardons.

SEC. 7. It shall be the duty of the Mayor to report quarterly to the City Council the number of fines remitted and pardons granted.

Shall report  
quarterly.

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## CHAPTER VIII.

### OF THE RECORDER.

1. May appoint deputy.
2. To be custodian of records, etc.
3. Shall administer oaths, etc.

SECTION 1. The Recorder, by and with the consent of the City Council, may appoint a deputy, who, under the direction of the Recorder, or in his absence, may perform all the acts or duties pertaining to the office of Recorder. The Recorder shall be responsible for the acts of his deputy.

May appoint  
deputy.

SEC. 2. It shall be the duty of the Recorder to keep the records, papers and seal of said city, and record, in order of date, all ordinances and

To be custo-  
dian of  
records, etc.

resolutions passed by the City Council, in a book to be kept for that purpose. He shall keep in a separate book a record of the proceedings of said Council.

Shall administer oaths, etc.

SEC. 3. The Recorder shall pay over all moneys belonging to the city and coming into his hands by virtue of his office, to the Treasurer. He shall have power to administer oaths and receive and approve bonds. He shall keep a plot of all official surveys within said city; and shall deliver to his successor in office the corporate seal, together with all the records and proceedings of the City Council, and all books or other property in his possession, belonging to said city.

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## CHAPTER IX.

### OF THE TREASURER.

1. Custodian of city funds. Other duties. To report semi-annually.
2. Delivery of property to his successor.

Custodian of city funds; other duties.

SECTION 1. The Treasurer shall receive all moneys belonging to the city, whether the same be raised by taxation or otherwise, and shall be the custodian of all the property of the city, the custody of which is not otherwise provided for. He shall disburse the funds and surrender the property of the city only upon orders signed by the Auditor of Public Accounts, except as hereinafter provided. He shall keep, in suitable books, a full account of all receipts and disbursements,

with the names of persons paying or receiving such funds, and the objects thereof, and shall, semi-annually, on or before the fifteenth day of January and the fifteenth day of July, in each year, present to the City Council a full report of his receipts and disbursements, with vouchers for all sums disbursed.

To report semi-annually.

SEC. 2. The Treasurer's books of account shall be the property of the city, and shall, together with moneys, papers or other property in his possession belonging to the city, be delivered to his successor in office immediately after said successor shall have been duly elected and qualified.

Delivery of property to his successor.

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## CHAPTER X.

### OF THE MARSHAL.

1. Powers and duties defined.
2. May appoint deputies.

SECTION 1. The Marshal shall, by himself or deputies, attend all regular and special meetings of the City Council; shall have charge of the City Hall, and see that the same is lighted and warmed when necessary; act as doorkeeper or sergeant-at-arms; execute all orders of the Mayor or Council; preserve the peace and good order of the city; quell all riots, arrest and bring all disorderly persons before the Mayor or Aldermen for trial, either with or without process;

Powers and duties defined.

serve all processes issued by the Mayor or any Alderman to him directed, and see that all orders and judgments of said courts are carried into effect; and shall take such measures as shall secure the peace and good order of all public meetings. Said Marshal may at any time call upon the Chief of Police, or in the absence of the Chief, upon any Policeman, which officers are hereby required to assist the Marshal in maintaining the peace and good order of the city.

May appoint  
deputies.

SEC. 2. The Marshal may appoint deputies, as he may deem necessary, for whose official acts he shall be responsible.

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## CHAPTER XI.

### OF THE AUDITOR OF PUBLIC ACCOUNTS.

1. To examine and audit all accounts. Custodian of papers, etc.
2. To make a quarterly report.
3. May appoint a deputy.

To examine  
and audit all  
accounts.

SECTION 1. It shall be the duty of the Auditor of Public Accounts to examine and audit all public accounts connected with the financial affairs of the city, and issue orders upon the Treasurer in liquidation of claims allowed, or appropriations made by the City Council. He shall have the custody of, and keep all books, papers, records, documents, vouchers, and all conveyances, leases, mortgages, bonds and other securities appertaining to the fiscal affairs of the

Custodian of  
papers, etc.

city, which are not required by ordinance to be kept in some other office or place.

SEC. 2. The Auditor shall make a report to the City Council quarterly, setting forth a statement of the amount of city revenue, specifying in said statement from what source derived and for what disbursed, and shall deliver to his successor in office all books, moneys, accounts, or other property in his custody belonging to the city, as soon as his successor shall be qualified.

To make a quarterly report.

SEC. 3. The Auditor may appoint a deputy, for whose official acts he shall be responsible.

May appoint a deputy.

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## CHAPTER XII.

### OF THE ATTORNEY.

1. May appoint a deputy.
2. Duties of.
3. Same.
4. Same.
5. Same.
6. Record. Docket. Shall settle quarterly with Auditor.
7. Reports. Compensation.

SECTION 1. The Attorney may, with the approval of the Mayor, appoint a deputy, for whose official acts he shall be responsible.

May appoint a deputy.

SEC. 2. It shall be the duty of the City Attorney to prosecute and defend in all courts in all actions on behalf of said city; and defend in all actions against any officer or agent of the city, on account of official acts.

His duties.

Same. SEC. 3. It shall be his duty to take appeals or sue out writs of error on behalf of the city or any officer as aforesaid, with the consent and approval of the Mayor, and make the necessary affidavits, and execute the necessary bonds in the name of said city.

Same. SEC. 4. It shall be his duty to advise the City Council or their committees, or any city officer, on such legal questions as may arise in relation to the business of the city, and attend the meetings of the City Council.

Same. SEC. 5. The City Attorney, having personal knowledge of any violation of a city ordinance, or upon receiving reliable information of any such violation, shall immediately institute the necessary steps to bring the offender to punishment.

Record. SEC. 6. He shall keep a record showing all claims placed in his hands for collection, all moneys received by him on account of the city, and all payments made by him to the City Treasurer, and also keep a docket book, in which he shall enter an abstract of suits pending in any court, and judgments in favor of, or against, said city. He shall, at the end of each quarter, or oftener if required, settle with the Auditor of Public Accounts, and pay to the City Treasurer all moneys in his hands belonging to the city.

Settle quarterly with Auditor. Reports. Compensation. SEC. 7. The City Attorney shall report quarterly, or oftener if required, to the City Council, the condition of the business of the city in his hands or control, and for all services rendered as herein required, such compensation shall be allowed as shall be determined by the City Council.



## CHAPTER XIII.

## OF THE POLICE.

1. Chief shall provide register of arrests. Other books.
2. Chief of Police to control Police. Report of Chief of Police.
3. Mayor shall appoint regular and special Police.
4. Regulations for control of Police Department.
5. Oath and duties of Policemen.

SECTION 1. The Chief of Police shall provide and cause to be kept at the police station in the City Hall a register of arrests. Upon such register there shall be entered a statement showing the date and hour of such arrests, the name of the person arrested, the name of the officer making the arrest, the offense charged, and a description of any property found upon the person arrested. He shall also provide a slate or book accessible to citizens, wherein notice may be given of the existence of any nuisance or the violation of any ordinance. He shall also provide and keep in his office a book wherein shall be entered daily all information he may receive respecting offenses committed, of suspected persons, of property stolen and recovered, and facts that may lead to the arrest of criminals or the recovery of stolen property; said book to be accessible only to the Mayor and officers of the Police Department.

SEC. 2. The Chief of Police shall have the direction and control of the Police, and may in any case of breach of ordinance arrest the person or persons offending, or report the same forthwith to the Mayor or any Alderman, and shall be under the direction of the Mayor in maintaining the peace and good order of the city. He

Chief shall provide register of arrests.

Other books.

Chief of Police to control Police.

shall report, on or before the fifteenth day of January in each year, or oftener if required, in writing, to the City Council, a true and certified account of the number of arrests and class of crimes charged, the amount of stolen property reported, the amount recovered, and the number of Policemen on duty during the year.

Mayor shall  
appoint Reg-  
ular and  
Special Po-  
lice.

SEC. 3. The Mayor shall, by and with the advice and consent of the City Council, appoint the Regular Police of said city, to the number which may from time to time be prescribed by the City Council, and shall remove the same at pleasure. He shall also appoint Special Police when in his judgment the public good may require such action, but no such Special Police shall be appointed for a longer period than ten days without the consent of the City Council.

Regulations  
for control of  
Police Depart-  
ment.

SEC. 4. The Mayor and Chief of Police are authorized and required to make all needful rules and regulations, not inconsistent with the ordinances of the city, for the government and control of the Police Department.

Oath and  
duties of Po-  
licemen.

SEC. 5. Every Policeman appointed shall take an oath for the faithful performance of his duties as Policeman, and shall see that the ordinances of the city are complied with.

## CHAPTER XIV.

## OF THE JAILOR.

## 1. Duties.

SECTION. 1. It shall be the duty of the Jailor to take charge of the city prison, to cause the same to be warmed and lighted when it shall be necessary, and kept clean and in proper order. He shall have the custody of the inmates thereof and shall see to feeding and otherwise caring for the same. He shall furthermore see that all rules prescribed by the City Council for the government of the prison are carried into effect. He shall keep a book in which shall be entered the day and hour of receiving a prisoner and the day and hour of his release.

Duties.

## CHAPTER XV.

## OF THE SURVEYOR.

1. Initial point of surveys.
2. Shall file duplicate plat of surveys. Official plats.
3. Boundary lines.
4. Grades of streets. Other duties.
5. Fees.

SECTION 1. The point of intersection of the base and meridian lines as established by the United States survey, Salt Lake meridian, shall

Initial point of surveys.

be the initial point of all surveys within said city, and all surveys shall conform to the original survey, as near as may be.

shall file duplicate plat of Surveys.

SEC. 2. It shall be the duty of the City Surveyor to make a duplicate plat of the surveys and subdivisions of all property surveyed and subdivided within the limits of Salt Lake City, and file the same in the City Recorder's office, and all errors and discrepancies in original surveys or resurveys shall be noted and filed in like manner, as soon as determined, and such duplicate plats are hereby declared to be official plats of said city.

Official plats.

Boundary lines.

SEC. 3. It shall be the duty of the City Surveyor to determine the corner or boundary lines of any block, lot or part of a lot within said city, when required by any person so to do, and furnish such person a certificate of such survey when required; *Provided*, That the lawful fees are tendered him for such service.

Grades of streets.

SEC. 4. It shall be the duty of such Surveyor to determine the lines and grades of all public streets, alleys and sidewalks within the limits of said city, under the direction and subject to the approval of the City Council, and to file in the office of the City Recorder a profile of all grades so determined and established, and to perform such other and further service, under the direction of, and as may be required by the Mayor or City Council of said city.

Other duties.

Fees.

SEC. 5. The fees of said Surveyor shall be for all services rendered as herein required, not exceeding eight dollars per day.

## CHAPTER XVI.

## OF THE SEALER OF WEIGHTS AND MEASURES.

1. Shall test weights and measures semi-annually.
2. Records. Shall seize false measures. Reports.
3. Weights, measures, etc., shall be tested. Penalty for failure. False weights.
4. Fees.
5. Sealer to test when required.
6. May appoint deputies.

SECTION 1. The Sealer of Weights and Measures shall, twice every year, at intervals not exceeding six months, and oftener if required, examine and test the accuracy of all weights, measures, scales, or other things used by merchants and others for weighing and measuring anything bought or sold by them; he shall stamp with a suitable seal, to be prescribed by the Mayor, all weights, measures and scales so used, which he may find conformed to, or which he may cause to conform to, the standard prescribed by the laws of the Territory, and shall deliver to the owner thereof a certificate of the accuracy of such weights and measures as shall be found to be or shall be rendered correct.

Shall test weights and measures semi-annually.

SEC. 2. It shall further be his duty to register the names of all persons whose weights, measures or scales he may find to be accurate or may cause to be rendered accurate, and of all persons who fail to have the same corrected when found to be incorrect. He shall seize in the name of the city all false weights, measures and scales which he may find, and which the owner shall fail to have made conformable to the provisions of this chapter, without delay, and shall

Record.

Shall seize false measures, etc.

Reports. immediately report such persons to the Mayor; he shall also further report, in writing, every six months, to the City Recorder, the names of the owners and the number of weights, measures and scales examined and found by him to be correct.

Weights, measures, etc., shall be tested. SEC. 3. All persons using weights, measures, scales, or other things for weighing or measuring any article bought or sold in this city, shall cause the same to be examined, tested and sealed as hereinbefore provided, and any person failing so to do shall be liable to pay a fine of not less than one nor more than fifty dollars for each offense.

Penalty for failure.

False weights. Any person using any false weights, measures, scales or other things for weighing or measuring any article bought or sold in this city, shall be liable to a fine of not to exceed one hundred dollars.

Fees. SEC. 4. The Sealer of Weights and Measures shall be entitled to receive for each examination, testing, sealing and certifying, as hereinbefore required, the following fees, which shall be collected from the owner or owners of the weights, measures, scales or other articles inspected:

Any steelyards, or beam, ground, floor, platform, counter, or other scales by which may be weighed not exceeding two hundred pounds, . . . . .	\$0.25
Any such instrument by which may be weighed over two hundred and less than six hundred pounds, . . . . .	.50
Over six hundred and less than twelve hundred pounds, . . . . .	1.00
Over twelve hundred pounds, . . . . .	1.50
For any yard stick, dry or liquid measure, . . . . .	.10
Any nest or set of measures, . . . . .	.25
And the weights attached to any scale shall, as to the compensation of the Sealer of Weights and	

Measures, be considered a part of the scales; *Provided*, That where any such weight, measure or instrument, previously inspected, shall, upon subsequent examination, be found correct, and shall not be required to be stamped a second time, the aforesaid Sealer of Weights and Measures shall not receive more than one-half the compensation provided for.

SEC. 5. The Sealer of Weights and Measures shall examine and test any of the before mentioned instruments for weighing or measuring, on application by any person who shall tender to him the fee which, by the preceding section, he is authorized to receive, and he shall, in every case where he may employ labor or material in making accurate any weight or measure, be entitled to extra compensation therefor, and to retain the article upon which such labor or material has been employed until such compensation be paid.

Sealer to test,  
when re-  
quired.

SEC. 6. The Sealer of Weights and Measures may appoint one or more deputies, subject to the approval of the City Council, and such deputies shall qualify in like manner and perform the same duties and be entitled to the same fees as is herein provided for the Sealer of Weights and Measures.

May appoint  
deputies.

## CHAPTER XVII.

## OF THE INSPECTOR OF PROVISIONS.

1. His duties. Compensation.
2. He shall inspect and seize unwholesome provisions when necessary. Penalty for offering same for sale.

His duties

SECTION 1. It shall be the duty of the Inspector of Provisions, when requested, to inspect all meats, flour, vegetables, or other provisions, and certify to the quality of the same, for which he shall be entitled to a reasonable compensation from the person requiring such service.

Compensation.

He shall inspect and seize unwholesome goods when necessary.

SEC. 2. It shall further be his duty, when provisions are offered for sale, and he may deem it necessary for the health and protection of the citizens, to inspect the same; and should any be found unfit to offer to the public, he shall seize, in the name of the city, and hold such provisions, subject to the direction of the Mayor or Alderman before whom the person offering such provisions for sale shall be brought; and said person, upon conviction, shall be liable to a fine in any sum not to exceed one hundred dollars, or to imprisonment not to exceed three months, or to both fine and imprisonment.

Penalty for offering same for sale.



## CHAPTER XVIII.

## OF THE CITY SEXTON AND BURIAL GROUNDS.

1. City Sexton shall be registrar of deaths. Statement of death, what to contain.
2. Duties of Sexton. He may appoint a deputy.
3. Sale of lots. Commission for sales. Certificate of sale. Price of lots. Exempt from taxation and execution.
4. Headboards, etc., to be erected. Fencing and grading.
5. Titles or permits to be obtained before interment. Order for disinterment. Removal of body that has died of contagious disease.
6. Compensation of Sexton.
7. Penalty for destruction of property in cemetery.
8. No burials except in cemeteries. Murderer not to be buried in any cemetery. Penalty.

SECTION 1. The City Sexton shall be registrar of deaths for Salt Lake City, and before burying any dead body in any of the cemeteries within the corporate limits of said city, or before transporting beyond the corporate limits the body of any person that has died therein, the relatives, or other persons having charge of said body, shall be required to furnish in writing to said Sexton, a statement of said death, which shall be recorded by him. Said statement, as well as the record, shall include the name of the person deceased, with the names of his or her parents, or other relatives, when and where born, the date of death and the cause thereof, together with the name of the attending physician, if any, coroner or midwife; also the date of burial, as well as the name of the cemetery, with the initial letter of the plat, as well as the number of block and lot where said person is buried; or, if transported beyond the corporate limits to a distance, the place of destination.

City Sexton shall be registrar of deaths.

Statement of death, what to contain.

Duties of sexton.      SEC. 2. It shall be the duty of the Sexton to take charge of the city cemetery, and improve the grounds thereof subject to the approval of the City Council; to dig, or cause to be dug, all graves required for the burial of the dead therein, and keep a record of the same as provided for in Section 1 of this chapter. He may appoint a deputy, for whose official acts he shall be responsible.

Sale of lots.      SEC. 3. The Sexton is hereby empowered to sell lots in said cemetery, and to collect before occupancy all dues arising from such sales, and all moneys so collected shall be by him paid into the city treasury as often as once in three months, less ten per cent. thereof, which he may retain as his commission for selling and collecting. He shall give to each purchaser a certificate of each lot, or part of lot, bought, with the price paid therefor, which shall describe the lot so bought, and he shall keep a duplicate of said certificate. The price of lots—the size thereof being sixteen and one-half feet square—shall not exceed twenty dollars, nor shall they be less than twelve dollars, the Sexton being empowered to regulate the price according to location, subject to the approval of the City Council; and all lots, or parts of lots, so conveyed, together with all improvements thereon, shall be exempt from taxation (except for water) and execution.

Commission for sales.

Certificate of sale.

Price of lots.

Exempt from taxation and execution.

Headboards, etc., to be erected.      SEC. 4. The owners of lots, or relatives of deceased persons buried in said grounds, are hereby required to erect headboards, tombstones, or other suitable monuments at the heads of graves, with the names of the deceased plainly inscribed thereon; and if any person neglects or fails to erect such headboards, tombstones, or other suitable monument for a period of three

months from the date of burial, the Sexton shall place suitable headboards in their proper position at the expense of the person owning or burying in the said lot. No person shall erect a fence, corner posts or other boundary mark upon any lot or lots in said cemetery, nor grade the ground or land thereof, except under the direction of the Sexton, who shall furnish the true lines of lots according to official survey, and shall prevent and prohibit any grading that would destroy the symmetry of the land.

Fencing and grading.

SEC. 5. No person, or persons, shall be allowed to inter their dead in said cemetery without first obtaining a title from the Sexton to the lot in which they bury, or if they do not own the lot they shall then be required to furnish a written permit from the owner thereof, which permit shall be filed with the Sexton; and no person shall disinter any body buried in said cemetery except under the direction of the Sexton; and before disinterment the Sexton shall require a written order from the owner of the lot authorizing such removal, which order he shall file and preserve, and all such removals shall be recorded by him in a book kept for that purpose. It shall be unlawful to remove a body that has died of a contagious disease within two years from the date of burial, except such body has been buried in a hermetically sealed coffin, and is found to be so encased.

Titles or permits to be obtained before interment.

Order for disinterment.

Removal of body that has died of contagious disease.

SEC. 6. The Sexton is hereby authorized to collect from those requiring his services not more than the following compensations for services herein named:

Compensation of Sexton.

For digging a grave four feet in length  
and four feet six inches deep, . . . . . \$2.00

For digging a grave six feet six inches in length and five feet six inches deep, . .	\$3.00
For all graves over six feet six inches in length, . . . . .	4.00
For disinterring bodies from a grave four feet in length, . . . . .	2.00
For disinterring bodies from a grave six feet six inches in length, . . . . .	4.00
For disinterring bodies from a grave over six feet six inches in length, . . . . .	5.00
For recording each death or removal, . . . .	.25
For certificate of lot purchased, . . . . .	.50

Penalty for destruction of property in cemetery.

SEC. 7. Any person who shall injure or deface any headboard, tombstone, monument, tree, shrub, or any other property in said cemetery, shall, upon conviction, be liable to a fine in any sum not exceeding fifty dollars, or to imprisonment not to exceed thirty days, or to both such fine and imprisonment.

No burials except in cemeteries, etc.

SEC. 8. No person shall be allowed to bury his dead within the limits of the city, except in the burying grounds located therein, unless by permission of the City Council, and there shall not be interred in any cemetery within the corporate limits of said city the body of any person known to the law as a murderer; and any person violating any provision of this chapter where the penalty is not otherwise provided for, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment for any term not exceeding one hundred days, or to both such fine and imprisonment.

Murderer not to be buried in any cemetery.

Penalty.

## CHAPTER XIX.

## OF THE INSPECTOR OF BUILDINGS.

1. Shall inspect all buildings, materials, etc.
2. Shall require the removal of defects.
3. Inspector to be notified of the erection of buildings, etc.    Com-  
pensation.    Deputies.
4. Shall examine and abate causes from which fire may be feared.
5. Penalty for obstructing directions of Inspector.
6. Special cases.
7. Duty in case building is or shall become dangerous.
8. Penalties.

SECTION 1. It shall be the duty of the Inspector of Buildings, when called upon, to examine all public or private buildings, bridges, dams, locks, gates, reservoirs, aqueducts, or other public works, and certify as to the strength, safety, workmanship and general condition of the same. He shall also, when requested, inspect all building material which may be offered for sale, measure all buildings, building material, mason and other mechanical work, and, when required, certify to the measurement thereof, which certificate shall be evidence of the things therein certified.

Shall inspect  
all buildings,  
materials, etc.

SEC. 2. Said Inspector shall require the removal, or prevent the construction of any fireplace, chimney, hearth, stove or pipe in any building which may seem to endanger life or property, and shall see that all ordinances in relation to the strength and safety of public buildings are carried into effect.

Shall require  
the removal of  
defects.

SEC. 3. It is hereby made the duty of every person, corporation or association about to erect any building within the limits of this city, to notify the Inspector of Buildings at least three days

Inspector to be  
notified of the  
erection of  
buildings, etc.

before commencing the same; and within the fire limits, every person, corporation or association, before proceeding to erect any kind of building, or to re-roof, repair or alter any building already erected, shall notify the Inspector and obtain his written permit therefor; and all such buildings, repairs and alterations shall be subject to his inspection, and for all service he shall be paid a reasonable compensation, at a rate not to exceed one dollar per hour, by the parties requiring such service, or in behalf of whose property the same shall be rendered. The said Inspector shall have power to appoint one or more deputies, who shall, before entering upon their duties, qualify and give bonds as provided for the Inspector.

Compensation.

Deputies.

Shall examine and abate causes from which fire may be feared.

SEC. 4. It shall be the duty of the Inspector of buildings to examine carefully, under the direction of the City Council, any cause from which immediate danger of fire may be apprehended, and remove or abate, with the consent of the Mayor or any Alderman (in case of neglect or refusal of the owner or occupant), any cause from which danger may be apprehended, and to cause all buildings, chimneys, stoves, pipes, hearths, ovens, boilers, ash houses, and other apparatus used in any building which shall be found in such condition as to be considered unsafe, to be, without delay, at the expense of the owner or occupant thereof, put in such condition as not to be dangerous in causing or promoting fires.

Penalty for obstructing directions of inspector.

SEC. 5. If any person shall obstruct or hinder any person under the direction of the Inspector of Buildings aforesaid in the performance of his duty under the preceding section, such person, for every such offense, shall, upon conviction, be liable to a fine of not to exceed twenty-five dollars.

SEC. 6. The Inspector shall have power to pass upon any question relative to mode, manner of construction, or materials used in the erection, alteration, or repair of any building in the city when the same is not especially provided for herein, to make the same conform to the true intent, meaning and spirit of the several provisions hereof, where the same do not conflict, in order that substantial justice may be done. The above is to meet the requirements of special cases.

SEC. 7. When any building or part thereof in the city shall become dangerous to life or limb of persons residing therein, or in adjacent buildings, or passing in the vicinity, or to property in the vicinity, or if, from cause apparent it will so become dangerous, the Inspector of Buildings shall proceed to make an examination of said building, and if it shall be found to be as aforesaid, the Inspector shall immediately notify the owner or agent of such building or structure to have the same removed, repaired or secured within twenty-four hours thereafter; and if the owner or agent fails so to do. it shall be the duty of the said Inspector to proceed to demolish or secure the same so as to insure safety, and he may call upon the Police or Fire Department, or both, for assistance, or may employ labor or purchase material needed, and the expense thereof shall be collected from such owner, and any owner or agent who shall fail to comply with the requirements of such notice shall, upon conviction thereof, be fined not more than one hundred dollars. And in like manner any owner or agent of any building, or any architect or contractor employed in or about a building, who shall violate any provision of this chapter, or of Chapter XX

Special cases.

Duty in case building is or shall become dangerous.

of this ordinance, where no other penalty is provided, shall, upon conviction, be fined not more than one hundred dollars.

Penalties.

SEC. 8. Any person who shall neglect or refuse to conform to the provisions of this chapter, or to the written requirements of the Inspector of Buildings, consistent therewith, shall be liable for each offense to a fine in any sum not to exceed one hundred dollars, or imprisonment not to exceed thirty days, or both such fine and imprisonment.

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## CHAPTER XX.

### OF THE FIRE DEPARTMENT.

1. Fire Department; how constituted.
2. Qualifications of members of.
3. Powers and duties of Chief of Department defined.
4. Assistant Chiefs of Department.
5. Duties of Foremen of companies.
6. Engineers; qualifications and duties.
7. Duties of permanent men.
8. Of call men.
9. Substitutes to be furnished, etc.
10. Conduct of members.
11. Conduct at fires.
12. Damage by firemen to be reported.
13. Carelessness.
14. Destruction of property to be avoided.
15. Record to be kept.
16. Reports.
17. Right of way for fire apparatus. Obstructing firemen punished.

#### FIRE LIMITS.

18. Fire limits; buildings therein; how constructed.
19. Application may be made for extension of fire limits.
20. Regulations regarding hay, straw, etc.
21. Smoking meat, etc., prohibited.
22. Penalties for erecting buildings contrary to ordinance.



## BUILDINGS, ETC.

23. Depth of cellar excavations.
24. Thickness of foundation and other walls. In one, two, three and four story buildings, etc. Where stories exceed sixteen feet in height.
25. Concerning mixture and use of mortar.
26. Strength of floors.
27. Inspector shall examine building before alterations.
28. Shall be notified before steam or hot air furnaces, etc., are placed in building.
29. Regulating construction of flues, chimneys, hearths, etc.
30. Doors, aisles, etc., in theatres, schoolhouses and other like buildings.
31. Stovepipe through roof forbidden.
32. Laying timbers into flue, etc. Penalty.
33. Stoves, etc., how set.
34. Height of smokestacks.
35. Furnace chimneys.

## MISCELLANEOUS REGULATIONS.

36. Coal oil, etc., for kindling fires forbidden.
37. No fire to be carried, etc.
38. Setting off fireworks; how regulated.
39. Chimneys to be cleaned.
40. Penalties.

## POWDER, ETC.

41. Location of magazines; reservations.
42. Selling without permit forbidden.
43. Permits, how obtained. Quantity that may be kept, etc.
44. Caps; how kept.
45. Penalties.

## OILS, ETC.

46. Quantity of oils which may be kept.
47. Petroleum; how kept; quantity; proviso.
48. Building for storage of, etc. License. Council shall approve and accept warehouse.
49. Adulterating oils, etc.
50. Manufacture of acids, chemicals, etc., forbidden within forty rods of dwelling or business house.
51. Places of storage; when to be opened.
52. Penalties.

SECTION 1. The Fire Department shall consist of a Chief of Department, one or more Assistant Chiefs of Department, one or more Engineers of Steamers, eight permanent men, and forty call men. All officers and members of the Fire Department shall receive such compensation as may be fixed by order of the City Council.

Fire Department: how constituted.

Qualifications  
of members  
of.

SEC. 2. Every person to be appointed a member of the Fire Department must, at the time of his appointment, be an able bodied man, and be able to converse understandingly in the English language.

Powers and  
duties of Chief  
of Depart-  
ment.

SEC. 3. The duty of extinguishing fires and of protecting life and property in case of fire, within the city, shall be entrusted to the Chief of Department; he shall appoint all officers and members of the Fire Department, as he may deem expedient; shall determine the duties of such officers; he may discharge any of said officers or members for cause; may divide the city into fire districts, and make such rules and regulations, for the government of all officers and members of the Fire Department, as he may deem expedient; he shall make suitable regulations under which the officers and men of said department shall be required to wear an appropriate uniform and badge, by which, in case of fire and at other times, their authority and position in the Fire Department may be known. Under the direction and with the approval of the Mayor and City Council, he may organize companies to work the apparatus for extinguishing fires, increase the force, and purchase horses, steam engines, extinguishers, hose carriages, hook and ladder trucks, and all other apparatus and supplies necessary for the complete equipment of the Fire Department. The Chief shall have sole and entire command at fires and alarms of fires, over all officers, members and employes of the department, and all apparatus and appurtenances belonging to the same; and he shall take all measures which he shall deem expedient for the extinguishment of fires, protection of property, preservation of order, and observance of

the laws of the Territory, ordinances of the city, and rules and regulations of the City Council. It shall be the duty of the Chief to examine into the condition of all houses, apparatus and appurtenances belonging to the department, to inspect engine, hose, and hook and ladder companies.

SEC. 4. It shall be the duty of the Assistant Chiefs of Department to respond to all alarms of fire, and, in the absence of the Chief, take sole charge at fires and alarms of fire; and in case of sickness or the absence of the Chief, the senior Assistant Chief shall assume the same duties as devolve upon the Chief.

SEC. 5. The Foreman of each engine or hose company shall, at fires, direct the placing of the apparatus in a suitable position to obtain water, and have charge and direction of the members of his company; he shall preserve order and discipline at all times among the members of the company under him, and require of them, and enforce a strict compliance with the rules and regulations of the department, and the orders of the Chief. He shall report to the Chief any violation of any of the rules and regulations of the department, or neglect of duty by any of the men under his charge.

SEC. 6. Each applicant for the position of Engineer shall be a regular, practical engineer, having at least two years' experience as an engineer; he shall devote his entire time to the interests of the Fire Department, and shall always be at the engine house where his engine is kept, except when directed by the Chief to perform other duty, or when at meals, or permitted by the Chief to absent himself. He shall have sole care of the engine house and all property therein belonging to the city; shall be held personally

responsible for the care and order of the engine, and shall work and manage the same, and see that it is at all times in condition for immediate use; and while working at fires he shall not be allowed to use over eighty pounds pressure of steam and one hundred and thirty pounds pressure on hose. The Fireman of each company shall, under his direction, assist in the care and cleanliness of the engine; he shall see that the engine is properly supplied with fuel, and perform such other duties as the Engineer may direct.

Duties of permanent men.

SEC. 7. It shall be the duty of the eight permanent men to devote their entire time to the service of the Fire Department, and render willing obedience to the directions, rules and orders of the Chief.

Of call men.

SEC. 8. It shall be the duty of the call men of each and every company of the department to attend all fires immediately upon the alarm being sounded, and to report to the officer in command of their respective companies; to obey all orders in respect to the discharge of their duties and to return to their respective houses with their apparatus to answer roll call, unless excused by the officer in command. They shall be required to meet at all regular meetings of the Fire Department determined upon by the Chief; and any member of any company who is reported absent at three or more alarms of fires or drills, in any one month, without giving a satisfactory excuse to the Chief, shall be liable to suspension or dismissal from the department.

Substitutes to be furnished, etc.

SEC. 9. No engineer, driver, fireman, or call man shall leave the city without having procured a substitute satisfactory to the Chief; and members of the department are strictly prohibited from exchanging or loaning badges.

SEC. 10. Any officer or member of the department who is addicted to the habitual use of intoxicants, or who shall use profane, immoral, or indecent language, or who shall be intoxicated in or about any of the department houses, or at a fire, shall be suspended or dismissed from the department, at the option of the Chief.

Conduct of members.

SEC. 11. Prompt, quiet obedience must be given to all orders from officers, and no disputing shall be allowed while on duty. In going to, while at, or returning from fires, all unnecessary noise shall be avoided, and a civil demeanor shall always be preserved to citizens, but no orders shall be taken from them.

Conduct at fires.

SEC. 12. If, by accident or otherwise, the property of any person in the city is damaged by any company, it shall be the duty of the Foreman of the company causing the damage to report the same immediately to the Chief.

Damage by Firemen to be reported.

SEC. 13. Drivers will be held responsible for any damage caused by them through carelessness displayed in conveying their apparatus to or from a fire or fire alarm.

Careless ness.

SEC. 14. At fires, all reckless destruction or damage to property shall be carefully avoided.

Destruction of property to be avoided.

SEC. 15. The Chief, or in his absence, his Assistant in charge at any fire, shall, after it is extinguished, make a prompt and thorough investigation of the cause of such fire, the amount of loss and insurance, time of breaking out, description of building, and all other necessary particulars, and record the same in the record book kept for that purpose in the office of the department.

Record to be kept.

SEC. 16. The Chief shall make to the City Council a quarterly report of the location and of the number of fires and fire alarms that have oc-

Reports.

curred in the preceding quarter, the causes of such fires, the value of property destroyed thereby, and the amount of insurance thereon; and he shall, in January of each year, submit a brief summary of matters of interest concerning his department.

Right of way  
for fire appar-  
atus.

SEC. 17. Whenever an alarm of fire is given, all persons occupying the public streets with wagons, teams or vehicles of any description, between the fire department houses and the location of the fire, shall yield the right of way on such streets to the fire companies and the movable apparatus of the department when going to such fire. Whoever obstructs, hinders or interferes with any fireman while in the discharge of his duty, or drives over any hose, or otherwise intentionally injures any of the apparatus or instruments used for extinguishing fires, shall be punished by fine not exceeding one hundred dollars.

Obstructing  
Firemen pun-  
ished.

### *Fire Limits.*

Fire limits.

SEC. 18. The following are hereby established as the fire limits of Salt Lake City, viz: All of Blocks 76, 69, 58, 57, 70, 74, 71, 56, 77, 68, 59, 51 and 75, and the south side of Block 86, extending north from South Temple Street a distance of 8 rods, and part of Block 52 north of the following described boundaries: Commencing 330 feet south of the northwest corner of said block; thence east 495 feet; thence south 47 feet; thence east 165 feet to the eastern limit of said block; Plat A, Salt Lake City survey. And within said limits it shall be unlawful to erect, or, without the written consent and approval of the Inspector of Buildings, to repair any building or shed, the outer walls of which are, in whole or in part, con-

Buildings  
therein.

structed of wood, except so much as may be necessary for door and window frames, cornice, doors, sash and shutters; and the roofs of all buildings hereafter erected or newly roofed, within said limits, shall be covered with metal or other incombustible material; and each building shall be separated from all other buildings by a partition wall of brick, adobe or rock, not less than nine inches thick if between one story buildings, and one foot between buildings of more than one story, from the foundation to the roof, from front to rear, and extending through and above the roof not less than eighteen inches, so as to entirely separate any communication of wood between such building and any other; and in all buildings where fire is kept there shall be flues or chimneys, built of rock, brick or adobe; and all stovepipes shall be conducted into flues or chimneys, and if they pass through wooden partitions, they must be protected from the same by metal ventilated thimbles; and in no case shall a stovepipe be allowed to pass through the roof or out of the side of any building.

How constructed.

SEC. 19. The erection of such buildings as are mentioned in Section 18, upon any block not included within the aforesaid limits, may be prohibited upon application to the City Council, in writing, signed by the owners of the greater part of the real property in said block. Such application shall be accompanied by a plot of the block, designating the property of each owner by his name, written on the plot representing his property; and the City Council, being satisfied that the applicants are the owners of the greater part of said property, may extend the fire limits over said block.

Applications may be made for extension of fire limits.

Regulations  
regarding hay,  
straw, etc.

SEC. 20. No person shall, within said fire limits, keep hay or straw in stack or pile, without having the same enclosed so as to protect it from flying sparks of fire, and no owner or occupant of a livery or other stable, or any other person, shall use therein, or in any other place containing hay, straw or other combustible matters, any lighted candle or other movable light, except when the same be kept safely enclosed in a lantern or other suitable covering to protect the same.

Smoking meat,  
etc., pro-  
hibited.

SEC. 21. It shall be unlawful, within said fire limits, to smoke meat, boil pitch, tar, rosin, turpentine or varnish, in any room or place, except the same be fireproof.

Penalties for  
erecting build-  
ings contrary  
to ordinance.

SEC. 22. Whoever shall, in person or by another, erect any building within said fire limits, in violation of any provision of this chapter, shall be liable to a fine not to exceed one hundred dollars, and the further sum of twenty-five dollars for every day that the building is permitted to stand after twenty days' notice; any person who shall become the owner of such building after the same shall have been so built, and who shall omit, neglect or refuse to remove the same within twenty days after notice, shall be liable to pay the same penalties; and the violation of any other provision of this chapter, not herein provided for, shall subject the offender to a fine in any sum not to exceed one hundred dollars.

### *Buildings, Etc.*

Depth of cellar  
excavations.

SEC. 23. The established depth of excavations for cellars and basements shall be and the same is hereby fixed at nine feet below the sidewalk grade in front of the same. Any person who shall excavate below the above established



depth shall, at his own proper cost and charge, save and protect the owners of adjoining property from injury or damage resulting from such excavation.

SEC. 24. All foundation walls shall be of stone or brick, and shall be laid in cement or brown lime mortar, and if constructed of stone, shall be at least four inches thicker than the wall next above them to a depth of twelve feet below ground level, where the walls exceed fourteen inches in thickness, and at a greater depth may be increased in thickness at the discretion of the Inspector of Buildings; and if built of brick, shall be at least four inches thicker than the wall next above to a depth of twelve feet below ground level, and at a greater depth may be increased in thickness as aforesaid. In all buildings hereafter erected, the walls when not exceeding sixteen feet in height above ground, shall not be less than eight inches thick, if of brick, or fourteen inches, if of stone. Gables may be built of a corresponding thickness, provided the apex does not exceed a height of twenty-eight feet from base of wall. In two-story buildings, when walls exceed sixteen feet in height, the walls in the first story shall not be less than twelve inches, if of brick, and eighteen inches, if of stone; in the second story, not less than eight inches, if of brick, and fourteen, if of stone. In three-story buildings, the walls in the first story shall not be less than twenty inches, if of brick, and eighteen inches, if of stone; and in the two upper stories, not less than twelve inches, if of brick, and sixteen inches, if of stone. In four-story buildings the walls of the first story shall not be less than twenty-four inches thick, and of the second story twenty inches, if of brick, and twenty-four inches, if of stone; the two upper

Thickness of  
foundation  
and other  
walls.

In one, two,  
three and four  
story build-  
ings, etc.

stories twelve inches, if of brick, sixteen inches, if of stone. In buildings of more than four stories the Inspector may require a greater thickness of walls as in his judgment seems best. The foregoing regulations apply only to buildings where spans from bearing to bearing do not exceed twenty feet. In buildings where the spans exceed twenty feet, for every additional five feet in length of spans, four inches of brick, or six inches of stone, shall be added to thicknesses above set forth. The amount of materials specified may be used either in piers or buttresses; *Provided*, The outside walls between the same shall in no case be less than twelve inches, in walls exceeding sixteen feet in height, and sixteen inches thick in buildings exceeding four stories in height. The foregoing regulations apply to stories not exceeding sixteen feet. For stories exceeding sixteen feet in height the Inspector of Buildings may require additional thickness of walls. All walls other than bearing walls, and in a block, partition walls, may be four inches less in thickness, if of brick, and two inches, if of stone, than required in the clauses and provisions of this section, at the discretion of the Inspector of Buildings.

Where stories  
exceed sixteen  
feet in height.

Concerning  
mixture and  
use of mortar.

SEC. 25. The mortar used in the construction, alteration or repair of any building, or part thereof, shall be composed of lime or cement, mixed with sand in the proper proportion, and no lime and sand shall be used within twelve hours after being mixed, and no cement shall be used after having been mixed six hours. All walls or parts thereof below the ground line shall be laid in brown lime or cement mortar, in the proportion of at least one of cement and four of mortar. No inferior lime or cement shall be used,

and all sand shall be clean, sharp grit, free from loam; and all joints and walls shall be well filled with mortar.

SEC. 26. In all buildings the floors shall be of sufficient strength to bear the weight to be imposed upon them, exclusive of the weight of the materials used in their construction, and in all storehouses, the weight that each floor will safely sustain upon each superficial foot shall be estimated by the owner thereof, and posted in a conspicuous place upon each floor thereof. And the weight that may be placed upon each of the floors of said building shall be safely distributed thereon. In all buildings every floor shall be of sufficient strength in all its parts to bear safely upon every superficial foot of its surface seventy-five pounds; and if used as a place of public assembly, one hundred and twenty pounds; and if used as a store, factory, warehouse, or for any other manufacturing or commercial purpose, at least one hundred and fifty pounds; and every floor shall be of sufficient strength to bear safely the weights aforesaid in addition to the weight of materials of which the floor is composed; and every column, post, or other vertical support, shall be of sufficient strength to bear safely the weight of the portion of each and every floor depending upon it for support, in addition to the weight required as above, to be supported safely upon said portions of said floor. In every building already erected or hereafter to be built, the floors shall be of sufficient strength to bear the weight required as above, to be supported safely upon said portions of said floors.

SEC. 27. No building shall be enlarged, raised or altered, or built upon in such a manner as to make the whole, when completed, in viola-  
Inspector shall examine buildings before alterations.

tion of any of the provisions of this chapter; and any building to be enlarged, raised or altered shall be first examined by the Inspector of Buildings to ascertain whether the proposed changes will leave the building in a safe condition; and no building shall be so enlarged, raised or built upon unless the Inspector give a permit for such changes, after an examination.

Shall be notified before steam or hot air furnaces are placed in building.

SEC. 28. Whenever hot water, steam, hot air or other furnaces are hereafter placed in any building, notice shall first be given to the Inspector of Buildings, by the owner of said building, or by the person placing said furnace in said building, or by the contractor or superintendent of said work.

Regulating construction of flues, chimneys and hearths.

SEC. 29. All flues shall be properly cleaned and all rubbish removed, and the flues left smooth on the inside upon completion of the building. No chimney shall be started or built upon any floor or beam, and in no case shall a chimney project more than twelve inches from the wall. All chimneys which are corbelled out from the wall shall be supported by at least five courses of brick, but if supported by piers, the piers shall start from the foundation on the same line with the chimney breast. All hearths shall be supported by arches of stone or brick, and no chimney shall be cut off below in whole or in part, and supported by wood, but shall be supported wholly by stone, brick or iron, in any two-story building; and all chimneys, in any part of the city, which shall be dangerous in any manner whatsoever, shall be repaired and made safe, or taken down, and the flues of all furnaces and boilers shall be constructed in such manner as shall prevent any danger from heat or fire.

SEC. 30. Any person, firm or corporation, owning or having the control or management of any theatre, church, hotel, schoolhouse, or other public building resorted to or occupied by a considerable number of persons, must provide the same, under the direction of the Inspector of Buildings, with sufficient and safe means of speedy escape in case of accidents or fire. In all cases the doors of such buildings, when used for public passage, shall open outwardly, and the doorways and passages shall be so constructed as to allow twenty-four inches width for every hundred people such building is capable of seating. All aisles and passages in buildings used for public assemblages shall be kept free from chairs, stools, sofas, benches and other obstructions during any performance, service, exhibition, concert, lecture, or any public assemblage. Such buildings shall be open at all times for examination by the Inspector of Buildings or any Policeman.

Doors, aisles, etc., in theatres, schools, houses and other like buildings.

SEC. 31. The owners of all buildings, within the limits of this city, wherein fire is kept, are hereby required to build flues, or chimneys of brick or adobe in said buildings; and, from and after the passage of these ordinances, it shall be unlawful to project any stovepipe through the roof or out of the side of any building; and within thirty days after the passage of these ordinances, all stovepipes now in use, projecting through the roof or out of the side of any building, shall be removed by the owner thereof.

Stovepipe through roof forbidden.

SEC. 32. Any person, within the limits of this city, laying timbers, wood or lumber into any flue or chimney where the fire passes, or laying joist timbers, or lumber into any fireplace or under the hearthstone, and any person violating any of the provisions of the preceding section

Laying timbers into flue, etc.

Penalty. shall be liable to a fine not to exceed one hundred dollars, and a further sum of five dollars for every day that such joist timbers, wood or lumber or stovepipe are permitted to remain after having been notified to remove the same.

Stoves, etc.,  
how set.

SEC. 33. No stove or other fire apparatus in which fire is to be kept shall be set nearer than eight inches to the floor except such as have no fireplace on the lower plate; such can be set within four inches of the floor on which they stand; and the top and the side plates thereof shall not be set nearer than twelve inches to any wood partition, or other wood-work, without protecting the same effectually from fire, by a metallic or other covering.

Height of  
smokestacks.

SEC. 34. It shall not be lawful, within the limits of said city, for the owner, occupant or other person having the control of any steam saw mill or planing mill, or factory of any kind, or foundry, machine shop, or other establishment, to erect any smokestack or chimney, in connection therewith, of less height than ten feet above the highest building within a radius of one hundred feet; he shall securely brace or stay the same, and shall have on said stack or chimney, a bonnet, or spark arrester, all to be done to the acceptance of the Inspector of Buildings.

Furnace chim-  
neys.

SEC. 35. All forge and furnace chimneys or flues shall be raised at least four feet above the roof, by or through which they pass, and shall have a deadening flue, or fire spark arrester of woven wire placed on the top or within such chimney or flue.

*Miscellaneous Regulations.*

SEC. 36. It shall not be lawful for any person, within the limits of this city, to use coal oil or other combustible fluid for the purpose of kindling fires, or to handle the same by pouring from one vessel to another at any other time than by daylight.

Coal oil, etc., for kindling fires forbidden.

SEC. 37. No person shall be allowed to carry or cause to be carried in any house, street, thoroughfare or lot of this city, any burning coals or brand of fire, unless the same be in a covered vessel.

No fire to be carried, etc.

SEC. 38. No person shall be allowed, within the limits of the city, to discharge or set off any rocket, squib, cracker or other fireworks without the consent of the Mayor, specifying the time when and the place where the same may be done.

Setting off fireworks, how regulated.

SEC. 39. The owner or occupant of any house, shop or other building, shall cause the flues or chimneys thereof to be cleaned as often as may be necessary. Any person suffering the flues of any house occupied by him to become foul and take fire, or be fired, shall be liable to the penalties hereinafter prescribed.

Chimneys to be cleaned.

SEC. 40. Any person violating, or failing to comply with any of the provisions of the last seven sections, shall be liable to a fine not to exceed one hundred dollars, and to imprisonment not to exceed six months, or both.

Penalties.

*Powder and Other Explosives.*

SEC. 41. A portion of the east half of the northeast quarter, and a portion of the east half of the southeast quarter of Section 14, Township

Location of magazines.

1 north, Range 1 west, lying northeast of the Hot Springs, is hereby designated as a location for the erection of magazines, to be built of adobe or brick, or both, for the storage of explosive powder, under such regulations as are hereinafter provided. Application for the privilege of building magazines on said ground must be made in writing to the City Council. But nothing herein shall be so construed as to prevent the City Council from changing the place of location of such magazines, or as granting any interest to any party in the lands above described.

Reservations.

Selling without permit forbidden.

SEC. 42. It shall not be lawful for any person to keep, sell or give away gunpowder, giant or Hercules powder, nitro-glycerine or dynamite, in any quantity, without the permission of the City Council; *Provided*, Any person may keep, in a canister or flask, for his own use, not to exceed six and one-quarter pounds of gunpowder.

Permits, how obtained.

SEC. 43. On application being made to the City Council, in writing, permits may be granted to sell gunpowder, giant or Hercules powder, nitro-glycerine or dynamite, during the pleasure of the Council; said permits, when granted, shall state to whom granted and his place of business, and shall be registered by the City Recorder. No person shall keep at his place of business to exceed one hundred pounds of gunpowder, which shall be in canisters and placed in a position from which it can be readily removed in case of fire. No giant or Hercules powder, nitro-glycerine or dynamite, shall be stored or kept at any other place than at the powder magazines; *Provided*, That a sample of each, not to exceed one pound of giant or Hercules powder, may be kept by obtaining a permit therefor. No person shall

Quantity that may be kept, etc.



sell or weigh gunpowder by gas, lamp or candle light, unless in sealed cans or canisters.

SEC. 44. Giant or Hercules powder caps shall, in all cases, be kept separate from any kind of explosive powder; if kept at a powder magazine, it shall be in a separate vault or safe; if kept at a place of business, it shall be in a vault or safe away from all other explosives.

SEC. 45. A violation of any of the foregoing provisions shall subject the offender to a fine for each offense of not to exceed one hundred dollars, or imprisonment not to exceed one hundred days, or both fine and imprisonment, at the discretion of the court.

#### *Oils, etc.*

SEC. 46. It shall be unlawful, without the permission of the City Council, for any person, firm or corporation, to store, permit the storage of, or keep for sale in any one building within the corporate limits of the city, in a larger quantity than twenty gallons, to be always kept in metal cans, any crude petroleum, gasoline, or any product of petroleum, or hydro-carbon liquids, which shall flash or emit an inflammable vapor at a temperature below 110° Farenheit, unless the same be kept in iron tanks and stored in a building or warehouse specially licensed for, used for, and devoted to the storage of crude petroleum, gasoline, or other hydro-carbon liquids.

SEC. 47. It shall be unlawful for any person, firm or corporation to store, permit the storage of, or keep for sale in any one building within the corporate limits of Salt Lake City, any refined product of petroleum in larger quantities than one thousand gallons, to be always kept in metal

Proviso.

cans, unless the same shall stand a fire test of 110° Fahrenheit before it shall flash or emit an inflammable vapor and unless the same be stored in a building or warehouse licensed for, used for, and devoted to the storage of such substances; *Provided*, That all buildings used for the storage of any refined products of petroleum, in quantity more than one hundred and less than one thousand gallons, shall be so constructed as to be deemed fireproof, and a certificate thereof shall be obtained from the Inspector of Buildings for said city before any permit shall be granted, which certificate shall be filed in the office of the City Recorder. Said permit shall specify the room in such building where the same may be kept, or stored, and the name of the person, firm or corporation to whom the same shall be granted. All such permits may be revoked whenever the Council shall deem such revocation necessary.

Building for storage of, etc.

License.

SEC. 48. No building or warehouse shall be specially licensed for the storage of unlimited quantities of oil or other inflammable substances, as contemplated in this subdivision, except upon the recommendation of the Inspector of Buildings, the Chief of Fire Department and the City Marshal, as being suitable therefor; said building or warehouse to be located at such place as may be approved by the City Council, and not to be within twenty rods of any dwelling house or place of business in said city, without the permission in writing of the owner of such dwelling house or place of business. The person, firm or corporation making application for such special license, shall, as soon as the same shall be granted by the Council, pay into the city treasury the sum of twenty-five dollars yearly, in advance; *Provided*, That no such warehouse or building

shall be used for the storage of crude petroleum, gasoline, or other products of petroleum which shall flash or emit an inflammable vapor at a temperature below 110° Fahrenheit, unless such warehouse or building shall be specially recommended and accepted by the City Council for such storage, and have prominently painted externally on the front thereof, in plain Roman letters at least five inches in length, the words: "Licensed for the storage of gasoline."

Council shall approve and accept warehouse.

SEC. 49. It shall be unlawful for any person, firm or corporation, to mix, adulterate, or offer for sale, any oils used for illuminating purposes with benzine, naphtha, gasoline, or any other substance; and all oils or fluids manufactured from petroleum, or its products, to be used for illuminating purposes, shall be required to stand a fire test of 110° Fahrenheit before they shall flash or emit an inflammable vapor.

Adulterating oils, etc.

SEC. 50. No person shall manufacture acids, or any combustible or explosive chemicals, or boil or refine oils, or maintain, erect or cause to be erected any works for the manufacture of acids or explosive chemicals, or for boiling or refining oils, within forty rods of any dwelling house or place of business in said city; and no person shall receive, keep or store, or suffer to remain in any place within the limits of said city, any explosive substance, having an explosive power greater than that of any ordinary gunpowder.

Manufacture of acids, chemicals, etc., forbidden within forty rods of dwelling or business house.

SEC. 51. The places wherein the articles mentioned in Sections 47 and 48 of this chapter are kept or stored, shall not be opened before sunrise nor after sunset on any day; nor shall fire or light be kept or carried into such places at any time.

Places of storage; when to be open.

Penalties.

SEC. 52. Any person violating any of the provisions of this subdivision shall, on conviction thereof, be punished by fine in any sum not exceeding one hundred dollars, or by imprisonment not exceeding one hundred days, or by both such fine and imprisonment.

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## CHAPTER XXI.

### OF THE STREET DEPARTMENT.

#### SUPERVISOR OF STREETS.

1. May appoint Assistants.
2. His duties.
3. To report quarterly. Custodian of certain property.

#### NAMES OF STREETS.

4. Names of streets south of Temple Block; west; north; east; Commercial Street.
5. Streets in Plots "I," "D" and "G."
6. Streets at north end of East Temple Street. Certain other streets named.

#### NUMBERS OF HOUSES.

7. Marshal to furnish and owner to put up number.
8. System of numbering; initial point, etc.
9. Numbering in Plots "D," "G" and "I."
10. Plot "E."
11. Commercial, and other streets through blocks.
12. District numbering forbidden.
13. Penalties.

#### DEFECTS, EXCAVATIONS AND OBSTRUCTIONS.

14. Duty of Supervisor in connection therewith.
15. Shall cause defects to be repaired.
16. Restoration of streets after being excavated for city purposes.
17. Supervisor's permission necessary before excavation.
18. Penalty for failure to restore street dug up under license.
19. No excavation to be made without license.
20. Guards around excavations. Penalty for extinguishing light.
21. Permits to use streets for building material.
22. Duty and liability of person thus occupying street.
23. Gratings in sidewalks.
24. Coverings for coal holes, etc.

25. Same.
26. Penalties.
27. Permit from Mayor necessary before constructing cellar-way. Bond shall be required; how conditioned.
28. Size of cellar-ways; protections to same.
29. Cellar doors or ways shall not be left open.
30. Repairs of cellar doors.
31. Occupant of lot to remove obstructions in street. Filth, rubbish. Wagons, boxes, material, etc. Three feet of sidewalk for display of goods. Sidewalk shall not be obstructed. Penalty.
32. Penalty for driving, etc., animals on sidewalk.
33. Obstructing streets by games, etc., forbidden. Penalty.
34. Owners of buildings shall set hitching posts.
35. Securing teams, etc. Penalties.

## AWNINGS, ETC., IN STREETS.

36. Canvas awnings; how constructed.
37. Permanent; to be entire width of sidewalk.
38. Inspector of Buildings shall approve plans, etc.
39. Signs not permitted on sidewalk. Bay windows.
40. Obstructions, etc., to be removed within thirty days.
41. Penalties.
42. Carriage steps; how constructed.

## SIDEWALKS.

43. Width of; fixed by Council.
44. Repaired; by whom.
45. Penalty for allowing obstructions.
46. To be paved or gravelled, when conforming to street grade.
47. Cost to be assessed on property; manner of assessment.
48. Supervisor shall give public notice. Labor accepted as payment of taxes.
49. Taxes, if not paid within ten days, shall be collected by Collector.

*Supervisor of Streets.*

SECTION 1. The Supervisor of Streets may appoint, by and with the consent of the City Council, Assistant Supervisors, who shall be under his direction, and for whose official acts he shall be responsible. May appoint assistants.

SEC. 2. It shall be the duty of the Supervisor to see that all ordinances, or orders of the City Council, relating to streets, sidewalks and ditches, are complied with. His duties.

SEC. 3. The Supervisor shall make a full report, quarterly, in writing, to the City Council, of all work done, and of all moneys expended in his department, and for what purpose; and it shall To report Quarterly.

Custodian of  
certain prop-  
erty.

also be his duty to take charge of all tools, material or property belonging to the city and employed in working on the streets.

*Names of Streets.*

Names of  
streets south  
of Temple  
Block.

West.

North.

East.

Commercial  
Street.

Streets in Plots  
"I," "D,"  
and "G."

SEC. 4. All the streets as plotted in the several surveys of Salt Lake City shall be known by names as follows: The street running on the south side of what is known as the Temple Block of said city shall be known by the name of South Temple Street, and the next one south as First South Street, and so on in regular order of number to the southern limits of said city. The street running on the west side of said Temple Block shall be known by the name of West Temple Street, and the next one west as First West Street, and so on in regular order of number to the western limits of said city. The street running on the north side of said Temple Block shall be known by the name of North Temple Street, and the next one north as First North Street, and so on, all eight-rod streets, in regular order of number to the northern limits of said city. The street running on the east side of said Temple Block shall be known by the name of East Temple Street, and the next one east as First East Street, and so on in regular order of number to the eastern limits of said city. The street running north and south through Block 70, Plat A, Salt Lake City survey, shall be known as Commercial Street.

SEC. 5. The streets commencing on the north side of South Temple Street, in Plots "I," "D," and "G," and running north, shall be designated by the letters of the alphabet, as follows: The first street east of First East Street to be named and called "A" Street, the second running

parallel therewith "B" Street, the third "C" Street, and so on to the eastern extremity of the city.

The streets commencing at the western extremity of Plots "D" and "I" and running east shall be designated by numbers as follows: The first street north of South Temple Street to be called First Street, the second running parallel therewith, Second Street, the third, Third Street, and so on to the northern extremity of the city.

The street commencing at First East Street and meandering along the western limits of Plots "I" and "D," up City Creek Canyon, shall be designated and called Canyon Road.

SEC. 6. The street beginning at the north end of East Temple Street, running north to Arsenal Block, shall be called Arsenal Street; the street commencing near the south end of Arsenal Street, running in a northwesterly direction, terminating on First West Street, shall be called Centre Street; the next street east, running parallel with Centre Street, shall be called Oak Street; the next street east, running nearly parallel with Oak Street, joining the city wall, shall be called Wall Street; the street lying immediately east of Wall Street, between Blocks 30 and 35, 31 and 34, and 32 and 33, Plat "E," Salt Lake City survey, and running parallel with said Wall Street, shall be called Green Street. The street running south from Peach Street to Second North Street, shall be called Quince Street.

Certain other streets named.

The street running on the east side of the Arsenal Block shall be called Strawberry Street; the street running on the north line of said Arsenal Block shall be called Currant Street; the street running on the west line of said Arsenal Block shall be called Pine Street; and the street running

on the south line of said Arsenal Block shall be called Grove Street.

The street commencing at First North Street and the northern terminus of West Temple Street, running directly north twenty rods, thence west ten rods, thence north to Second North Street, shall be called Apple Street; the street running from Centre to Currant Street shall be called Vine Street; the street running from Centre to Vine Street shall be called Cedar Street; the street running from First North Street to Currant Street, nearly parallel with Vine Street, shall be called Grape Street.

The second street north of the Arsenal Block, running from First West to Wall Street, shall be called Apricot Street; the next street north, running from First West to Wall Street, shall be called Plum Street; the next street north, running from First West to Wall Street, shall be called Peach Street; the next street north, running from First West to Wall Street, shall be called Pear Street; the next street north, running from Centre to Wall Street, shall be called Cane Street; the next street north, running from First West to Wall Street, shall be called Fir Street; the street running from Currant to Apricot Street shall be called Almond Street; and the aforementioned streets are hereby declared public streets of Salt Lake City.

#### *Numbers of Houses.*

Marshal to furnish and owner to put up number.

SEC. 7. It shall be the duty of the City Marshal to furnish each owner of any house situate upon any street, lane or alley, within the limits of Salt Lake City, a written copy of the correct number to which said house is entitled; and each



owner shall, within thirty days after such notice, cause a painted, carved or cast duplicate of such number to be placed in a conspicuous position upon such house, in a permanent and durable manner.

SEC. 8. The City Marshal, in numbering houses upon the streets of the city, shall adhere in all respects to the following system of numeration, allowing fifty numbers to each side of all blocks of six hundred and sixty feet in length: System of numbering.

The initial point shall be the junction of East Temple and South Temple streets, and the numbering shall extend thence east, west, north and south, the even numbers always on the right and odd numbers on the left, looking away from the initial point. Initial point.

To number East Temple Street and all other streets parallel therewith, and lying south of South Temple Street, commence at the southeast corner of the junction of said streets severally with South Temple Street, and number one, with number two opposite, and number southward to the southern limits of the city.

To number East Temple Street, and all other streets parallel therewith lying north of South Temple Street and west of survey Plot "I," commence at the northwest corner of the junction of said streets severally with South Temple Street, and number one, with number two opposite, and number northward to the northern termination of said streets respectively.

To number South Temple and all other streets parallel therewith and lying east of East Temple Street and south of South Temple Street, commence at the northeast corner of the junction of said streets with East Temple Street, and number one, with number two opposite, and

number eastward to the eastern limits of the city; *Provided*, That in numbering the north side of South Temple Street, east of First East Street, the numbers shall be so placed as to run consecutively with the numbers on the south side of said street, and as nearly opposite each other as the difference in the size of the blocks will admit.

To number South Temple Street, and all streets running parallel therewith, and lying west of East Temple Street, commence at the southwest corner of the junction of said streets respectively with East Temple Street, and number one, with number two opposite, and number westward to the Jordan River.

*Provided*, That all numbers of houses on streets running east from East Temple Street shall have added thereto the letter "E," signifying east; that all numbers of houses on streets running west from East Temple Street shall have added thereto the letter "W," signifying west; that all numbers of houses on streets running south from South Temple Street and west of Second East Street shall have added thereto the letter "S," signifying south; and that all numbers of houses on streets west of "A" Street running north from South Temple Street shall have added thereto the letter "N," signifying north.

Numbering in  
Plots "D," "G"  
and "I."

SEC. 9. In numbering those portions of the city included in survey Plots "D," "G" and "I" lying north of South Temple Street and east of First East Street, there shall be allowed twenty-five numbers to each side of all blocks of three hundred and thirty feet.

To number "A" Street and all streets running parallel therewith, commence at the west corner of the junction of said streets with South Temple Street, and number one, with number

two opposite, and number northward to the northern termination of said streets respectively.

To number First Street and all other streets running parallel therewith, commence at the north corner of the junction of said streets with First East Street or Canyon Road, as the case may be, and number one, with number two opposite, and number eastward to the eastern termination of said streets.

SEC. 10. In numbering that portion of the city included in survey Plot "E," there shall be allowed one number to each rod of frontage.

To number Centre Street and all other streets running northerly and southerly in said Plot "E," commence at the west corner of the junction of said streets severally with First North Street. or the west corner of the southern terminus of said streets severally, and number one, with number two opposite, and number northward to the northern termination of said streets.

To number Currant Street and all other streets running easterly and westerly, commence at the north corner of the junction of said streets with First West Street, or Quince Street, and number one, with number two opposite, and number eastward to the eastern termination of said streets respectively.

SEC. 11. Commercial Street, and all other streets running through any block within the city, but not extending to the initial points, shall be numbered separately, beginning at number one, and be numbered in the same order and in accordance with the system herein described.

SEC. 12. Hereafter no block or row of houses shall be designated by a distinct numbering of the houses situated therein.

Plot "E."

Commercial and other streets through blocks.

Distinct numbering forbidden.

Penalties.

SEC. 13. Any failure to comply with the provisions of this subdivision shall subject the party offending to a fine not exceeding five dollars for each offense.

*Defects, Excavations and Obstructions in Streets.*

Duty of Supervisor in connection therewith.

SEC. 14. The Supervisor of Streets shall see that all statutes, ordinances, orders and regulations, respecting the use or occupation of portions of streets for the purpose of erecting, altering, repairing, or removing buildings, are observed and enforced.

Shall cause defects to be repaired.

SEC. 15. All notices of defects in public streets, which are received by any officer or person in the employ of the city, shall be sent to the office of the Supervisor of Streets, and he or some competent person detailed by him shall, without delay, examine the locality of the alleged defect, and if upon examination it appears that the defect is of such a character as to endanger the safety of public travel, and that the city is liable for its repair, he shall cause it to be immediately repaired; and, until such repair is completed, he shall do whatever may be necessary to protect the public from injury by reason of the defect.

Restoration of streets after being excavated for city purposes

SEC. 16. When an excavation for any purpose is made or permitted in a public street by order of a department of the city government, the street shall, as soon as the purpose for which the excavation was made has been accomplished, be restored to a condition entirely satisfactory to the Supervisor of Streets, and, if it is not so restored, although it may not be dangerous to public travel, the said Supervisor shall notify the department which ordered or permitted the exca-

vation to be made, to make forthwith such further repairs as he deems necessary, and if such department neglects so to do, the said Supervisor shall cause such repairs to be made and shall charge such department therefor.

SEC. 17. No person who is in the employ of the city shall break or dig up, or assist in breaking or digging up, any part of a public street, or remove any gravel or other similar thing from a public street, unless he, or the head of the department under whose direction said work is being done, has first obtained from the Street Supervisor a written license therefor.

Supervisors' permission necessary before such excavation.

SEC. 18. Whoever, by virtue of such a license, breaks or digs up, or causes to be dug or broken up, any part of a public street, shall, within such time as the Street Supervisor, or some person by him authorized, may order, cause such street to be repaired and amended to the satisfaction of the said Supervisor, and if he neglects or refuses so to do, he shall be liable to a penalty of not less than five nor more than fifty dollars for each day during which the neglect or refusal continues.

Penalty for failure to restore street dug up under license.

SEC. 19. No person shall make, or cause to be made, an excavation in a street for any purpose whatever without a license from the City Council, or from some person authorized by the said Council, and subject to such regulations as the said Council may prescribe. Every application for such a license shall be made in writing and signed by the applicant, and shall set forth the dimensions of the proposed excavation and the purpose for which it is to be used; and every such license shall provide that the excavation licensed shall not be used for any purpose other than that stated in the application, and may at

No excavation to be made without license.

any time be revoked by the said Council. But no excavation of or under a sidewalk shall be made, the inner face of the wall of which extends further than to a line ten feet inside the line of the outer edge of the sidewalk.

Guard around excavations.

SEC. 20. When an excavation is made in a street for any purpose, the person by or for whom such excavation has been made, shall cause a rail or other sufficient fence to be placed so as to enclose such excavation and the dirt, gravel or other material thrown therefrom; and such fence shall be maintained during the whole time for which the excavation continues; and he shall also cause a lighted lantern or some other proper and sufficient light to be fixed to some part of such fence, or in some other proper manner over or near the excavation and over or near the dirt, gravel, or other material taken therefrom, and so kept from the beginning of twilight through the whole of every night during all the time such excavation exists. Whoever maliciously or wantonly, and without legal cause, extinguishes or diminishes a light fixed in accordance with the provisions of this section, shall be liable to a penalty of not more than fifty dollars.

Penalty for extinguishing light.

Permits to use streets for building material.

SEC. 21. Whoever desires to occupy or use a portion of a street for the erection or repair of a building upon land abutting thereon, shall make application to the Supervisor of Streets, who, subject to the direction of the City Council, may grant permits for the occupation or use, for building purposes, of such portions of streets, and for such periods of time and under such limitations and restrictions as may be required by ordinance or by the public convenience; and any such permit may be revoked by the said Supervisor, at any time when the holder thereof fails to comply with

any rule or regulation under which it is granted, or when, in the opinion of the said Supervisor, the public good requires such revocation. No part of a street other than that so allotted shall be used for depositing materials for work to be done or for receiving rubbish arising from such work, and all such rubbish shall be carried away, by the person to whom the permit is granted, at such times as the City Council or the said Supervisor may direct; and in case of the neglect or refusal of such person so to remove such rubbish, it shall be removed at his expense by the Supervisor of Streets.

SEC. 22. Whoever is duly licensed or permitted to occupy a part of a street, while erecting or repairing a building, or making an excavation, or for any other purpose, shall provide a safe and convenient passage for public travel around or over the obstruction so caused, and shall be responsible to the city for all injuries sustained in consequence of his neglect so to do; and he shall, at any time, when requested by the Supervisor of Streets or by a police officer, exhibit his license or permit for such occupancy.

Duty and liability of person thus occupying street.

SEC. 23. No grating shall be placed in a sidewalk, the spaces between the bars of which are more than one inch and a quarter in width; and no grating shall project more than three feet into a sidewalk.

Gratings in sidewalks.

SEC. 24. All coverings of coal holes or of other excavations or openings in streets and sidewalks, excepting cellar doorways and bulkheads, shall be constructed of iron, iron and glass, or durable stone, and shall be of such description and workmanship as the City Council may direct. When such covering is otherwise constructed, or is, in the opinion of said Council, unsafe or incon-

Covering for coal holes, etc.

venient for the public travel, said Council may order the same to be removed and a suitable one put in its place; and, if such removal and substitution is not completed within ten days from the service of the order on the owner or tenant of the premises or other person having the care thereof, the Supervisor of Streets shall make the change, and the expense thereof shall be paid by such owner, tenant, or other person having the care of the premises; and no person shall leave such coal hole or other excavation or opening uncovered or with its cover unfastened, except while it is in use in the daytime before sunset, by some person or persons who are actually attending to the same.

Same.

SEC. 25. The City Council may, upon application, authorize the construction, at the expense of the applicant, of coal holes or other openings in streets and sidewalks in such manner and under the direction of such person as it may deem suitable; and they may also authorize the continuance of a covering of a coal hole or other excavation already constructed.

Penalties.

SEC. 26. Whoever violates any of the provisions of Sections 20, 21, 22, 23 or 24 shall be liable to a penalty of not less than five nor more than fifty dollars for each offense, and to a like penalty for every day's continuance of such offense.

Permit from Mayor necessary before constructing cellar way.

SEC. 27. No person shall erect or construct any stairway or passage leading from any street, avenue or alley, into the basement or cellar of any building, and thereby occupy any portion of the street, alley or sidewalk, nor shall any area or vault be excavated or constructed under any sidewalk or any portion of the public streets, avenues or alleys of this city, unless the party so constructing the same shall have procured a permit so to



do from the Mayor, and shall have given a bond to his satisfaction, in a sum not to exceed ten thousand dollars, as he may determine. Such bond shall be to Salt Lake City and conditioned for the payment of all damages that may be adjudged against him or against said city on account of any injuries which may or shall happen to any person, and on account of any damage resulting to any property by reason of such stairway, passage, area or vault, or by reason of the unsafe or dangerous condition of the same, or of any covering, grating or railing, covering or being over or about the same.

Bond shall be required; how conditioned.

SEC. 28. Cellarways, or entrances to the basements of buildings on the sidewalks of this city, may be constructed not to exceed five feet in width, and where such entrance or flight of steps is not safely and securely covered, shall be enclosed with a permanent railing on each side, at least three feet high from the top of the sidewalk or pavement, together with either a gate to open inwardly or two iron chains across the front of the entrance-way, one near the top and the other half-way from the ground to the top of the railing, the whole to be constructed subject to the approval of the Supervisor of Streets; and such gate or chains shall, unless there is a light burning over the steps to prevent accidents, be closed during the night.

Size of cellar ways.

Protections to same.

SEC. 29. No occupant or other person having the care of a building shall suffer a cellar door, cellar doorway, entrance or flight of steps, such as are mentioned in the preceding section, to remain open, or the platform thereof to be removed, for more than fifteen minutes during the night time nor for more than two hours in all

Cellar doors or ways shall not be left open.

during the daytime, unless licensed so to do by the City Council; and in all cases in which such a cellar door, cellar doorway, entrance or flight of steps is open, the same shall be properly guarded, and, in the night time, properly lighted.

Repairs of  
cellar doors.

SEC. 30. When a cellar door or the platform thereof projects into a sidewalk, the owners and occupants of the estate to which such cellar door or platform belongs shall keep such door or platform in good repair; and if it is at any time out of repair, so that in the opinion of the Supervisor of Streets the safety of the inhabitants is thereby endangered, the said Supervisor shall notify the said owners and occupants of the fact; and if they neglect or refuse for the space of twenty-four hours to repair such door or platform, the Supervisor of Streets shall forthwith cause such repairs to be made at the expense of said owners or occupants, who shall, in case of such neglect or refusal, be further liable to a penalty of not less than five nor more than fifty dollars for each and every day that said door or platform continues to be out of repair.

Occupant of  
lot to remove  
obstructions in  
street.

SEC. 31. No person shall put, place, or cause to be put or placed, anywhere upon a public street or sidewalk, and no person owning, occupying or having control of any premises, shall, after reasonable notice by the City Marshal or any police officer, suffer to be or remain in front thereof, upon the sidewalk, or the half of the street next to such premises:

Filth, rubbish.

First.—Any broken ware, glass, filth, rubbish, refuse matter, garbage, ashes, tin cans, or other like substances;

Wagons,  
boxes, ma-  
terial, etc.

Second.—Any wagons, lumber, wood, boxes, fencing, building material, merchandise, or other

thing, which shall obstruct such public street or sidewalk, or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the City Council;

Third.—Any goods, wares, or merchandise, for sale or show or otherwise, beyond three feet from the front line of the lot where such goods, wares or merchandise may be exposed.

Three feet of sidewalk for display of goods.

No person receiving or delivering goods, wares or merchandise in this city shall place or keep upon, or suffer to be placed or kept upon any sidewalk in said city any goods, wares or merchandise which he may be receiving or delivering, without leaving a passage way clear upon such sidewalk, where such goods, wares or merchandise may be, ten feet wide, for the use of foot-passengers; and no person receiving or delivering such property shall suffer the same to be or remain on such sidewalk for a longer period than ten hours.

Sidewalk shall not be obstructed.

Any person violating any of the provisions of this section shall, upon conviction thereof, be liable to a fine in any sum not to exceed fifty dollars or to imprisonment for a period of not to exceed fifty days, or both.

Penalty.

SEC. 32. Any person driving a team or leading, riding or driving any animal upon any sidewalk in this city, shall be liable for all damages accruing thereby, and to a fine of not less than one nor more than fifty dollars for every such offense; *Provided*, That nothing in this section shall be so construed as to prohibit persons from crossing the sidewalk to or from the adjoining premises with teams or animals.

Penalty for driving, etc., animals on sidewalk.

SEC. 33. All persons are hereby forbidden to obstruct the sidewalks or streets by games of

Obstructing  
streets by  
games for-  
bidden.

any kind, playing of ball, quoits, marbles, jump-  
ing, rolling of hoops, flying of kites, to annoy or  
obstruct the free travel of any foot-passenger or  
team, under a penalty of not less than one, nor  
more than fifty dollars, or imprisonment not to  
exceed twenty days, or both, for each offense, and  
to pay all damages.

Penalty.

Owners of  
buildings re-  
quire<sup>d</sup> to set  
hitching posts.

SEC. 34. All persons owning buildings  
within the limits of said city are hereby required  
to set one or more posts in the street, if said  
streets be eight rods wide, twenty-five feet from  
the front line of their lots; and if said street be  
five rods wide, said posts shall be set twelve feet  
from the front line of their lots. When the water  
ditches interfere, a variation may be made suffi-  
cient to clear such ditch; where streets are of  
less width than five rods said posts shall be set  
one foot from the outer edge of the water ditch;  
said posts must be set in a good, substantial  
manner, suitable for securing horses or other  
animals.

Securing  
teams, etc.

SEC. 35. Any person having charge of, or  
being the driver of a team, shall, while such team  
is standing in the streets or any public place of  
said city, stand near the head of the same, or  
have hold of the lines attached to them, or other-  
wise secure them to some post or other substan-  
tial place of fastening prepared for that purpose.

Penalties.

Any person violating any of the provisions of  
Sections 34 and 35 shall be liable to a fine in any  
sum not less than two nor more than fifty dollars  
for each offense.

*Awnings, etc., in Streets.*

SEC. 36. No awning shall be constructed on  
or over any of the sidewalks within the limits of

this city except as hereinafter provided: All canvas awnings shall be affixed to, and suspended from the buildings, and where the sidewalks are not less than twenty feet wide they shall not project over the sidewalk to exceed ten feet, and no part of said awning shall be less than eight feet above the grade of the same. And where the sidewalks are less than twenty feet in width said awning shall not project from the building to which they are suspended more than eight feet, and no part thereof shall be less than eight feet above the grade of the sidewalk.

Canvas awnings; how constructed.

SEC. 37. All permanent awnings shall be constructed the entire width of the sidewalk; the outside line of the posts or supports of said awnings on sidewalks of twenty feet in width shall be uniformly nineteen feet from the line of the lots; and where the sidewalks are less than twenty feet in width, said posts or supports shall be uniformly within six inches of, and on a line with, the outer edge of the sidewalk. All such posts or supports shall be placed on substantial stone footings. The deck or roof of said awning shall be water-tight, and within the fire limits be covered with metal or other incombustible material, no part of which, on sidewalks twenty feet wide, shall be less than twelve feet above the grade; and on sidewalks less than twenty feet wide, not less than ten feet above the grade. The whole to be thoroughly braced and constructed in a safe and substantial manner, to the acceptance of the Inspector of Buildings.

Permanent; to be entire width of sidewalk.

SEC. 38. All persons, before erecting permanent awnings within the fire limits, shall submit plans and specifications, including the kinds of material to be used, to the Inspector of Buildings, for his approval.

Inspector of Buildings shall approve plans, etc.

Signs not permitted on sidewalk.

SEC. 39. No sign nor sign post of any design or description shall hereafter be erected on any sidewalk or project over, across or along the outer edge of any sidewalk, or across any water ditch, or on or over any street, or be allowed to project from the building to which it is attached over the sidewalk more than thirty inches; no bay window hereafter erected shall project over any sidewalk more than twenty-four inches.

Bay windows.

Obstructions, etc., to be removed within thirty days.

SEC. 40. All awnings and all sign posts or sign boards, of any design or description, now standing on sidewalks, projecting over or across the sidewalks or water ditches, or on the streets outside the water ditches, within this city, except such awnings as have been permanently constructed according to law or by permission of the City Council, or which are in accordance with the foregoing provisions, are hereby declared obstructions, and shall be removed within one month from the publication of this ordinance.

Penalties.

SEC. 41. Any person violating or failing to comply with any of the provisions of the five preceding sections, shall be liable to a fine not to exceed one hundred dollars, or imprisonment not to exceed thirty days, or both. Any person failing to remove any of the obstructions named therein within the time specified therein, shall be liable to a further fine of five dollars for each and every day that such obstruction so remains.

Carriage steps; how constructed.

SEC. 42. Any person may erect carriage steps or platforms across the water ditch in front of his place of business or residence, not to exceed four feet long, three feet wide and two feet high, the work to be done to the acceptance of the City Marshal.

*Sidewalks.*

SEC. 43. All sidewalks shall be of the width as heretofore, or as may hereafter be fixed by order of the City Council, and shall be maintained and kept in repair by the city except as hereinafter provided.

Width of;  
fixed by  
Council.

SEC. 44. Whenever a sidewalk is out of repair by reason of the act or omission of any person, the same shall be repaired by such person or at his expense.

Repaired; by  
whom.

SEC. 45. Whoever fails or neglects to keep the sidewalk in front of his place of business free from obstructions shall be liable to a fine not exceeding one hundred dollars.

Penalty for  
allowing ob-  
structions.

SEC. 46. Where the grade of any street within the limits of this city has been established by the City Surveyor, the sidewalks of such streets shall be leveled so as to conform to the established grade and be paved or graveled.

To be paved  
or graveled  
when con-  
forming to  
street grade.

SEC. 47. The amount of the cost of said improvement shall be estimated and fixed by the City Council, and be assessed upon the real estate benefited by such improvement, by three commissioners, reputable citizens, who shall be appointed by the City Council to make said assessment in the manner provided in Section 2 of "An Act amending the Charter of Great Salt Lake City," approved January 14, 1865.

Cost to be as-  
sessed on  
property.

Manner of as-  
sessment.

SEC. 48. Immediately upon the completion of said assessment as provided in said act, the Supervisor of Streets shall cause a notice to be published for one week, in some newspaper having a general circulation in said city, to the effect that when any owner of real estate assessed as aforesaid shall, within ten days after the publication of said notice, perform, under the direction

Supervisor  
shall give  
public notice.

Labor accepted as payment of taxes.

of said Supervisor, a proportion of labor in making said improvement equivalent to the amount of the assessment against his said real estate, such labor shall be accepted as payment of said assessment.

Taxes, when not paid within ten days, shall be collected by Collector.

SEC. 49. At the expiration of the said ten days, the tax list containing the names of persons assessed as aforesaid, exclusive of the names of persons who have performed labor as provided in the last section, shall be delivered to the City Collector, who shall collect the taxes so assessed, and then owing, by distraint, in the manner provided for the collection of other city taxes, and pay them over to the Treasurer within forty days after the receipt of said list. The Supervisor of Streets shall then proceed to make or complete said improvement at the expense of the city.

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## CHAPTER XXII.

### OF THE WATER DEPARTMENT.

#### IRRIGATING WATER.

1. The Watermaster may appoint assistants.
2. Period of artificial irrigation.
3. Apportionment of water.
4. Watermaster to locate ditches, flumes, etc.
5. Head gates and branch ditches; by whom constructed.
6. To guard against damage.
7. Right of way along ditches.
8. Surplus water.
9. Penalty for wrongful diversion of water, etc.
10. Appeal from apportionment.
11. Watermaster's reports and compensation.
12. Penalties.
13. Public water ditches defined.



## THE WATERWORKS.

14. Waterworks under the control of city.
15. Duties of Superintendent. Reports.
16. Fire hydrants.
17. Penalty for injuring.
18. Wrenches; to whom furnished.
19. Written application to be made for water.
20. Stop cock; key box at curb.
21. Quality of service pipe, etc. No extension of service pipe without permit.
22. Penalty for permitting others to use water.
23. Water apparatus to be kept in good repair.
24. Waste forbidden. Penalty.
25. Using water without license. Other offenses. Penalty.
26. Turning on water. Penalty.
27. Fountains.
28. Sprinklers, etc., for lawns. During July and August may be used only during night. Size of nozzle.
29. Sprinkling wagons.
30. Steam boilers must be supplied from tanks.
31. Watering troughs. Waste forbidden.
32. Superintendent allowed to examine apparatus.
33. Damages; city not liable for in case of accident.
34. Taking water from ditch, etc., forbidden; permits, etc., revoked.
35. Assessor and Collector of Water Rates to make semi-annual assessments; shall settle with Auditor.
36. Notice to water taker. In case of delinquent water rates.
37. Water rates.
38. Meters where preferred. City may charge by measure.
39. Water not to be supplied to motors, etc.

## PLUMBERS.

40. Plumbers to obtain license.
41. How obtained; bond.
42. Must have permit before extending pipes.
43. Kind of fixtures used; size of service pipes, etc.
44. Penalties.

*Of Irrigating Water.*

SECTION 1. The City Watermaster may appoint, subject to the approval of the City Council, assistants, who shall receive from said Watermaster certificates of appointment, and for whose official acts he shall be responsible.

The Watermaster may appoint assistants.

SEC. 2. The period of artificial irrigation shall be from the first day of April to the first day of November, annually.

Period of artificial irrigation.

SEC. 3. On or before the first day of April, annually, the City Watermaster shall apportion and allot the water flowing through the natural

Apportionment of water.

and artificial channels into said city to the persons entitled to water, and issue to said persons a certificate specifying the time during which such waters may be used; said apportionment and allotment shall be made with respect to time and the amount of water available in proportion to the quantity of land to be irrigated.

Watermaster  
to locate  
ditches,  
flumes, etc.

SEC. 4. It shall be the duty of the City Watermaster to see to the proper location, construction and repair of all public gates, dams, flumes, ditches and reservoirs necessary for the controlling and distributing of such water, that the water may not be wasted, streets or sidewalks overflowed or obstructed, or public or private property damaged.

Head gates  
and branch  
ditches; by  
whom con-  
structed.

SEC. 5. No person shall convey water from a public ditch to his lot or premises by an irrigation ditch, without first having constructed, under the direction of the City Watermaster, a substantial gate, both in the public ditch, and at the head of his branch ditch; the latter he shall keep closed and water tight, except during the period allotted to him for the use of such water. And where such branch ditch crosses any portion of a sidewalk, the same shall be made of lumber or other substantial material, the covering of which shall be on a level with such sidewalk.

To guard  
against  
damage.

SEC. 6. Where persons are obliged to convey water across lands lying between their premises and the public water ditches, the same shall be done with the least possible injury to property, both in constructing the necessary ditches and in managing the water flowing therein, and such persons shall be liable for all damages caused by negligence in the construction of said

ditches, or in the management of water flowing therein.

SEC. 7. Where public water ditches pass through private grounds, the right of way for which has been acquired, the City Watermaster and his assistants are authorized to pass along said ditches, as occasion may require, during the continuance of such right.

Right of way  
along ditches.

SEC. 8. All persons using water for irrigation or other purposes shall conduct the surplus or waste water into a public water ditch, and shall not allow such water to flood the streets, sidewalks or private property to the damage thereof, or to run to unnecessary waste.

Surplus water.

SEC. 9. Any person who shall turn the water from any public water ditch or reservoir, or from any private irrigating ditch during said irrigating period, except when the use of such water has been duly allotted to him, or who shall wilfully or maliciously break any dam, gate, sluice or ditch used for diverting or controlling such water, or in any manner change the current or flow of water used for irrigating purposes, in any of said ditches, shall, on conviction thereof, be liable to a fine in any sum not exceeding fifty dollars, or to imprisonment not exceeding fifty days, or to both such fine and imprisonment.

Penalty for  
wrongful  
diversion of  
water, etc.

SEC. 10. Any person aggrieved at the proportion of water allotted to him by the City Watermaster, or at any other act claimed to have been done under the provisions of this ordinance, may, on written complaint, be heard by the City Council, who shall determine the same and grant such relief as may be proper; but all such complaints must be presented to the Council within twenty days from the origin of the act complained of.

Appeal from  
apportion-  
ment.

Watermaster's reports and compensation. SEC. 11. The City Watermaster shall report his proceedings to the City Council quarterly, or oftener if required by the Council. The compensation of the Watermaster and his assistants shall be as prescribed by the Council.

Penalties. SEC. 12. Any person violating any of the provisions of this subdivision, when no other penalty is prescribed, shall, on conviction thereof, be punished by fine not exceeding twenty-five dollars, or by imprisonment not exceeding twenty-five days, or both such fine and imprisonment.

Public water ditches defined. SEC. 13. Public water ditches are defined to be: First, the natural and artificial channels through which water flows into Salt Lake City; second, those constructed along the streets; and, third, those through lots and blocks, for public use and over which the city exercises exclusive control and jurisdiction.

### *The Waterworks.*

Waterworks under the control of city. SEC. 14. The waterworks constructed by the corporation to supply Salt Lake City with water from City Creek Canyon shall be designated and known as the Salt Lake City Waterworks; they shall be the property of said city, and shall be under the sole and exclusive control of the City Council, who may, from time to time, direct the construction of such reservoirs, water tanks, water mains, service pipes and fire hydrants as the necessities of the inhabitants of the city may require.

Duties of Superintendent. SEC. 15. The Superintendent of Waterworks shall, under the direction of the City Council, have charge of the reservoirs, water tanks, water mains, fire hydrants, and all the machinery and appurtenances appertaining to the waterworks.

He shall have the direction of the laying of water mains, and putting in of service pipes, and the regulation of the water supply to fire hydrants and to all water takers. He shall report to the City Council quarterly, or oftener if required, his doings as Superintendent, the condition of the waterworks, and make such suggestions as the nature of the service may require. Reports.

SEC. 16. All public fire hydrants shall be under the control of and shall be kept in repair by the Superintendent of the Waterworks, and in case of fire, the Fire Department and such others as the Superintendent shall authorize shall have free access to said hydrants. No other person shall open and operate any fire hydrant, or attempt to draw water therefrom or obstruct the approach thereto. Fire hydrants.

SEC. 17. Any person who shall wilfully or carelessly run a vehicle against a fire hydrant, or otherwise wilfully or carelessly injure the same, or draw, or attempt to draw, water therefrom, shall be subject to a fine not exceeding one hundred dollars, and be liable for all damages done to said hydrant. Penalty for injuring.

SEC. 18. Wrenches for fire hydrants shall be furnished by the Superintendent to the Fire Department, for their use, and to such other persons as he may deem proper, and any officer or member of the Fire Department, or other person having charge of one or more of said wrenches, who shall permit the same to be taken from their place of deposit, or to be used for any other purpose than those authorized by the Superintendent, shall be liable to a fine of not exceeding fifty dollars for each offense. Wrenches; to whom furnished.

Written application to be made for water.

SEC. 19. Whenever any property owner desires to obtain a supply of water from the city waterworks, he shall make application therefor, in writing, to the Superintendent, and sign an agreement that he will be governed by such rules and regulations, not inconsistent with this ordinance, as may be prescribed by the Mayor for the control of the water supply; said application must state the location, kind of building, number of rooms, and the entire area of ground to be supplied, and fully and truly state the purposes for which the water is to be used. Said application having been filed, the Superintendent of Waterworks is authorized to extend, at the expense of the city, the service pipe to the inside line of the curbstone, at the point most convenient for supplying the premises of the applicant.

Stop cock and key box at curb.

SEC. 20. To each service pipe there shall be attached, at the curb, a stop cock and a key box, which shall be paid for by the water taker and be under the exclusive control of the Superintendent.

Quality of service pipe, etc.

SEC. 21. All service and other pipes used under ground shall be of cast iron, extra strong lead or tin-lined lead, and laid not less than four feet below the grade, and all pipes for water supply, whether inside or outside, shall be of sufficient strength to stand the water pressure, and all such work, alterations or extensions thereof, together with the size of pipe, must be to the acceptance of the Superintendent. No extension of service pipes shall be made without first obtaining a permit therefor from the Superintendent, and no extension shall be made to another water taker from the same service pipe without a stop cock and key box being attached at the junction with such service pipe.

No extension of service pipe without permit.

SEC. 22. If any water taker shall permit any person from other premises, or any unauthorized person, to use or obtain water from his premises or water fixtures, whether inside or outside of his building, the supply of water may be cut off and the amount paid forfeited, and such unauthorized person for taking said water shall be liable to a fine of not to exceed ten dollars for each offense.

Penalty for permitting others to use water.

SEC. 23. All persons taking the water shall keep their service pipes, connections and other water apparatus in good repair and protected from frost at their own expense, but no person, except under the direction of the Superintendent, shall be allowed to dig into the street, or sidewalk, for the purpose of laying, removing or repairing any service pipe.

Water apparatus to be kept in good repair.

SEC. 24. If any water taker shall waste water, or allow it to be wasted by negligence, such as imperfect stops or valves, or leaky joints or pipes, or allowing tanks to leak or to overflow, or wastefully run it through basins or other apparatus, or use the water for purposes other than stated in the application and license, or in violation of the rules and regulations for controlling the water supply, and the provisions of this ordinance, he shall be liable to a fine of not to exceed twenty-five dollars for each offense, and the water may be cut off from such water taker, and all payments forfeited, unless such person shall pay such additional charges as may be imposed by the Superintendent.

Waste forbidden.

Penalty.

SEC. 25. Whoever by himself, family, servants or agents, shall use the water coming through the water mains without first obtaining a license therefor, or shall without authority open

Using water without license; other offenses.

any stop cock, valve or other fixture attached to the system of water supply, or shall in anywise injure, deface, or impair any part, or any appurtenances of the waterworks, or shall cast anything into any reservoir or tank of the said works, shall be punished by fine not exceeding one hundred dollars for each offense, or by imprisonment not exceeding six months, or by both fine and imprisonment.

Penalty.

Turning on water.

SEC. 26. If any person, after the water has been turned off from his premises, on account of non-payment of dues, or violation of the rules and regulations pertaining to the water supply, shall turn the water on again, or use, or allow the water to be used without authority, he shall be fined not exceeding fifty dollars for each offense.

Penalty.

Fountains.

SEC. 27. Fountains and sprinklers for lawns, gardens, yards or sidewalks shall not be operated during a fire. No fountain attachment shall be greater than half an inch in diameter. There shall be a stop cock to each fountain attachment, which shall be under the control of the Superintendent.

Sprinklers for lawns.

SEC. 28. Sprinklers for lawns, gardens, yards and sidewalks must be used only for the purposes expressed in the license; and no sprinkler shall be used for sprinkling the street or sidewalk, unless such privilege is included in the license and paid for accordingly. Sprinklers for lawns, sidewalks, streets, windows and fronts must be used only between the hours of 6 P. M. and 8 A. M. during the months of July and August. No nozzle for sprinkling shall be larger than one-fourth of an inch in diameter, and no license for sprinkling shall be issued except in connection with other water service.

During July and August may be used only during night.

Size of nozzle.



SEC. 29. Sprinkling wagons and wagons for the delivery or sale of water must be filled from hydrants erected for that purpose, and shall be regulated and controlled by the Superintendent.

Sprinkling  
wagons.

SEC. 30. Steam boilers shall not be allowed to fill from pipes direct, but must be provided with a tank and supplied therefrom.

Steam boilers  
must be sup-  
plied from  
tanks.

SEC. 31. Watering troughs for animals shall not be allowed a constant flow of water, but shall only be allowed to use such quantity as will supply the actual wants of the stock having access thereto. Neither shall continuous streams of water be permitted to flow from hydrants, faucets, or stops over wash basins, water closets or urinals, or from any apparatus for drawing water.

Watering  
troughs.

Waste for-  
bidden.

SEC. 32. Free access shall at all ordinary hours be allowed to the Superintendent or other authorized person to all places supplied with water, to examine the apparatus, the amount used and the manner of using water, and any water taker violating any of the rules and regulations controlling the water supply shall forfeit all payments made and the right to the use of the water.

Superinten-  
dent allowed  
to examine  
apparatus, etc.

SEC. 33. The city corporation shall not be held liable for damage to any water taker by reason of a stoppage or interruption of his water supply caused by scarcity of water, accidents to works or mains, alterations, additions, repairs or other unavoidable cause.

Damages; city  
not liable for  
in case of ac-  
cident.

SEC. 34. Where the water mains are laid no person shall be allowed to convey the waters of City Creek from any ditch or place by private pipes, for fountains, mechanical or other purposes, except the ordinary irrigation of lots, under the direction of the Watermaster nor shall said waters be hereafter diverted from the ordinary irrigation

Taking water  
from ditch  
forbidden.

Permits, etc.,  
revoked

ditches for the supply of steam boilers or other mechanism; and all resolutions, ordinances and permits allowing any person to convey the waters of City Creek, or any part thereof, from the ordinary ditches by pipes for any use or purpose whatever, wherever the water mains are laid, are hereby repealed.

Assessor and  
Collector of  
Water Rates  
to make semi-  
annual as-  
sessments.

SEC. 35. The Assessor and Collector of Water Rates shall make semi-annual assessments for water on the owners of property having made application therefor, based upon the rates hereinafter established, and dating from the first day of January and the first day of July of each year, respectively. Said officer shall charge to each person the amount assessed against him, and shall without delay proceed to collect the same and pay the amounts collected into the city treasury, monthly or oftener if required. In the months of January and July of each year he shall make a full report to and settlement with the City Auditor of the previous six months' assessment and collection of water rates.

Shall settle  
with Auditor.

Notice to  
water taker.

SEC. 36. The Assessor and Collector of Water Rates shall furnish to each water taker, or leave at his residence or usual place of business, if known, a printed or written notice of the amount of water rate assessed against him and when payable. If any person neglect, refuse or fail to pay his water rate within twenty days from the date of said notice, the Assessor and Collector is authorized and empowered to have the water turned off from the premises of said person where such unpaid water rate is assessed, and before the water shall be turned on again all delinquent water rates must be paid in full up to the end of the term as assessed, and fifty cents additional for expenses.

In case of de-  
linquent  
water rates.

SEC. 37. The annual rates for a supply of water from the waterworks, to be paid semi-annually in advance, are hereby fixed and established as follows, to-wit:

Bakery, . . . . .	\$15 00 to \$30 00
Butcher shop, . . . . .	15 00 to 30 00
Barber shop, not exceeding two chairs, . . . . .	10 00
Each additional chair, . . . . .	2 00
Baths, public, first tub, . . . . .	10 00
Each additional tub, not exceeding four, . . . . .	5 00
Each additional tub, exceeding four, . . . . .	2 00
Billiard saloon, with bar, . . . . .	15 00 to 30 00
Club room, society hall, dancing hall, etc., . . . . .	5 00 to 15 00
Drug store, . . . . .	15 00 to 25 00
Fountains, with jet not exceeding one-fourth inch in diameter, per month, . . . . .	5 00
Store, restaurant, and other like fountains, . . . . .	5 00 to 15 00
Hose connection for sprinkling sidewalk, for each foot frontage, . . . . .	25
With privilege of sprinkling one-half the width of street, for each foot frontage, . . . . .	50
Hose connection for sprinkling garden, lawn or yard, up to 200 yards, per square yard, . . . . .	05
Each additional square yard, . . . . .	03
No license issued for sprinkling garden, lawn, yard or sidewalk less than . . . . .	5 00

Water rates.

Same	Hose connection for washing private vehicles, each vehicle,	2 00
	Hotels or boarding houses: For each room in hotel having water attachments, and including water closet, urinal, and bath for use of guests,	1 50
	For each room not having water attachments, .....	1 00
	No hotel or boarding house license less than .....	15 00
	Houses or private residences not exceeding six rooms, with privilege of sink, .....	5 00
	Houses or private residences not exceeding six rooms, with privilege of attachments for one bath tub, one water closet, one boiler used in connection with range or stove, lavatory and sink,...	10 00
	Each additional room with water attachment, .....	75
	Additional bath tubs or water closets in private residences, each, .....	1 50
	Liquor store, saloon or beer shop,	20 00
	Livery, feed or sale stables: For each stall or feeding place for single animal, .....	1 00
	For washing vehicles, each, ....	2 00
	Offices: Bank, express, railroad, attorney's, physician's, mining company's or other office, with water attachments in rooms, each tap,..	5 00 to 10 00

Offices with water attachment in yard or hall, each office, . . .	5 00	Same.
Tanks or reservoirs, for each 1,000 gallons used, . . . . .	20	
Locomotives, each, . . . . .	20 00 to 30 00	
For washing cars, each, . . . . .	5 00	
Store or shop, . . . . .	10 00 to 50 00	
Stationary engines and steam boilers other than in private residence, per horse power, . . . . .	2 50	
Minimum charge, . . . . .	15 00	
Sprinkling wagons by special contract.		
Stock yards or corrals, not less than . . . . .	25 00	
Soda fountain, for season, . . . . .	5 00 to 20 00	
Urinals, public, in hotel, saloon, store or other buildings, each, . . . . .	10 00 to 20 00	
Waterclosets, public, in hotel, saloon, store, schoolhouse, hospital or other building, each, . . . . .	10 00 to 20 00	
Laundries, . . . . .	20 00 to 50 00	
Water rates per 1,000 gallons, . .	20	

For a supply of water for any purpose not specifically designated, the price shall be fixed by the Assessor and Collector of Water Rates, corresponding with the standard hereinbefore established. Same.

SEC. 38. Meters will be furnished and maintained by the city at cost, to all takers who prefer to use them, and the city reserves the right to put in a meter in any case at its own expense and charge for water by measure instead of schedule rates.

Meters, where preferred, City may charge by measure.

Water not to be supplied to motors, etc.

SEC. 39. No water shall be supplied from the pipes of the Salt Lake City waterworks for the purpose of driving any moter, turbine or other wheels, or any hydraulic engines or elevators, or for driving or propelling machinery of any kind whatsoever, and no license shall be granted or issued for any such purpose; *Provided*, That nothing herein shall prohibit the City Council from granting permission to employ motors for running organs in churches, on payment of a license fee of not less than one dollar per annum.

*Plumbers.*

Plumbers to obtain license.

SEC. 40. No plumber shall lay any service pipe or do any kind of plumbing work connected or to be connected with the Salt Lake City waterworks, unless he is licensed and gives bonds as hereinafter provided.

How obtained.

SEC. 41. Application for a plumber's license shall be made in writing to the Mayor, and, upon payment to the City Treasurer of a yearly license fee of five dollars, and giving a bond with approved security, to the acceptance of the Mayor, in the penal sum of five hundred dollars, conditioned for the faithful observance of the ordinances, rules and regulations relating to the Salt Lake City waterworks, the Mayor is authorized to license such applicant, which license shall be issued and registered in the same manner as other licenses.

Bond.

Must have permit before extending pipes.

SEC. 42. No plumber shall make an extension of any pipe or water fixture, attached to the water supply, for the purpose of conducting water to any part of the same building, or adjoining premises, for any purpose whatever, without first obtaining a permit therefor from the Superintendent of Waterworks; and plumbers, upon com-

pleting any plumbing work connected, or to be connected, with the waterworks, shall, within twenty-four hours, report the same to said Superintendent.

SEC. 43. No stop or draw cocks shall be used in connection with the waterworks except the kind known as compression cocks. Slide valves may be used to fill railroad or other tanks when a waste is not wanted, and where the pipes are thoroughly protected from frost, also for hose connections, or where a separate waste is used. No other than regulation curb boxes and curb and cellar cocks, samples of which shall be kept in the Superintendent's office, shall be used in connection with the waterworks. The size of all service pipes shall be determined by the Superintendent of Waterworks when the application for water is filed, but no service pipe shall be larger than that extending from the main to the curb. All pipes inside of buildings must be of galvanized iron.

Kind of  
fixtures used.

Size of service  
pipes, etc.

SEC. 44. Any person violating any of the provisions of this chapter, or any of the ordinances, rules and regulations relating to the introduction, supply and consumption of water from the Salt Lake City waterworks shall, upon conviction, where no other penalty is provided, pay a fine not to exceed one hundred dollars for each offense; and if the offender be a licensed plumber he shall, in addition to such fine, forfeit his license, which shall not be renewed for a term of three months.

Penalties.

## CHAPTER XXIII.

## OF THE REVENUE DEPARTMENT.

## PROPERTY TAX.

1. Rate of taxation.
2. Property subject to taxation. Exemptions.
3. Property other than money to be taxed at a fair cash value. Real estate as valued on the first of January. Debts deducted from credits.
4. Shares of stock in national banks and corporations. Property in trust.
5. Property assessed to owner if known. Tax to be a paramount lien.
6. Real estate; how designated.
7. Corporate property.
8. Railroads; how assessed. President to furnish statement.
9. Property of corporations other than railroads. Statements.
10. Assessor and Collector may administer oath and appoint deputies.
11. Blanks to be filled. Books to be furnished Assessor.
12. Returns to be made to Council before second Tuesday in July. Irregularities not to vitiate tax or assessment. Property omitted.
13. Return of assessment roll. Compensation of Assessor. Notice to taxpayer.
14. Council to sit as Board of Equalization. Complaints. Adding to assessed valuation.
15. Assessor to be present at Board. Power to remit taxes. Entering changes.
16. Duties of Collector. Delinquent taxes. Sale of property. Removal of property.
17. Certificate of sale as evidence.
18. Redemption.
19. Money paid in redemption.
20. Property not redeemed. Deed to be given to purchaser.
21. Collector entitled to credit upon exhausting property of delinquent.
22. Auditor to keep account with Assessor and Collector.
23. Entry of payment.
24. Collector to settle with Auditor.
25. Terms defined.

## POLL TAX.

26. Two days or three dollars required annually.
27. How used.
28. Supervisor shall make list of taxpayers.
29. Notice to work given by Supervisor.
30. Delinquent tax payable in money.
31. Money paid into treasury. Receipts shall show kind of payment.
32. Supervisor's annual report to Council.
33. Special reports. Penalty.

## LICENSES.

34. Doing business without license unlawful.
35. Applications for license; how made.



36. License, what to contain.
37. Quarterly and half-yearly licenses.
38. Free licenses; when may be given.
39. Penalty.

## BANKERS, BROKERS, ETC.

40. Capital employed.

## MERCHANTS AND RETAILERS

41. Merchants and retailers. Capital employed. Restrictions.

## LIQUORS.

42. Selling without license prohibited.
43. Applications. Bond. What to contain. Amount of bond, etc.
44. Certificate of license. What to state.
45. Manufacturer defined. Wholesale dealer. Retail dealer.
46. Amount of license.
47. Selling, etc., to Indian, etc.
48. Selling on Sunday.
49. Gaming, disorderly conduct, etc., on premises.
50. Mayor may prohibit sale on election days, etc. Penalty.

## BILLIARD TABLES, ETC.

51. License required.
52. Application; what to contain. Amount of license.
53. Penalty for running on Sunday, etc.

## HOTELS OR TAVERNS.

54. Defined. Statement. Amount of license. Lodging rooms.

## BOARDING HOUSES.

55. Defined. Statement. Amount of license.

## RESTAURANTS.

56. Defined. Statement. Amount of license. Restrictions.

## PHYSICIANS, ETC.

57. Amount of license. Evidence of competency, etc. Poisons, etc., to be labeled.

## AUCTIONEERS.

58. License required. Bond.
59. To give receipt for goods, etc.
60. Per cent. to be paid city. Returns on oath, etc.
61. Obstructions prohibited.
62. Exceptions.

## LIVERY STABLES.

63. Defined. Statement. Amount of license.

## PASSENGER AND OTHER VEHICLES.

64. Hackmen, etc., to be licensed. Amounts.
65. Numbers, etc.

## BUTCHERS, SLAUGHTERERS, ETC.

66. Amount of license.
67. Slaughtering in fire limits, etc.
68. Record to be kept.

- 69. Slaughter houses, etc., to be cleaned.
- 70. Duty of Marshal.
- 71. Penalty.

PEDDLERS AND HAWKERS.

- 72. Peddling and hawking.
- 73. Amount of license.
- 74. Carts, etc., to be numbered.

DOGS.

- 75. Dogs to be registered.
- 76. Collars and numbers.
- 77. Female dog at large.
- 78. Permitting in place of worship.
- 79. Dangerous dog, etc., at large. Marshal to destroy unregistered dogs.
- 80. Penalty for killing registered dog.

MISCELLANEOUS LICENSES.

- 81. Amounts of miscellaneous licenses.

*Property Tax.*

Rate of  
taxation.

SECTION 1. There is hereby directed to be assessed and collected annually, beginning with the year 1888, an *ad valorem* tax on all property within the limits of Salt Lake City corporation, made taxable by the laws of the Territory of Utah, for the following named purposes, to-wit: Not to exceed five mills on the dollar to defray the contingent expenses of the city; not to exceed five mills on the dollar to open, improve, and keep in repair the streets of the city; not to exceed one and a quarter mills on the dollar to control the waters of said city.

Property sub-  
ject to  
taxation.

SEC. 2. All property, real and personal, situate and being in this city, is taxable, except:

Exemptions.

First.—Property owned by the United States.

Second.—Bonds and other obligations of the United States.

Third.—Property owned by this city, by Salt Lake County, by Utah Territory, by any school district, or by any religious, educational or other association or corporation, and used for school purposes.

Fourth.—Houses and other buildings and land occupied for public worship, owned by any religious denomination, so long as the same are used for public worship, and no income is derived therefrom; but this subdivision does not include the residence of the minister, parson or other person attendant upon such denomination. Exemptions.

Fifth.—Property owned by any scientific, charitable or benevolent society, so long as such property and the income that may be derived therefrom are used exclusively for the public good.

Sixth.—Public libraries and libraries of literary and scientific associations, when no income is derived therefrom. Exemptions.

Seventh.—Private libraries and libraries of professional persons, not exceeding three hundred dollars in value.

Eighth.—Public squares and public grounds used for amusements and pleasure, when no income is derived therefrom.

Ninth.—Shares of stock in corporations when the property of the corporation is taxable. Exemptions.

Tenth.—Cemeteries and graveyards used for interring the dead.

Eleventh.—Property owned by any fire or military company, when used only for the public good, and no income is derived therefrom.

Twelfth.—Mining claims and the products of mines and the ore in the mines.

Thirteenth.—Wearing apparel, beds, bedding, stoves, chairs, etc., not exceeding one hundred dollars in value for each family.

SEC. 3. Property other than money shall be assessed at a fair cash valuation; money loaned, on hand or on deposit, shall be assessed at its legal value; real estate shall be listed as real estate, and Property other than money to be taxed at a fair valuation.

personal property shall be listed as personal property. Real estate taxable under this subdivision shall be listed and assessed as valued on the first day of January in each year; all other property taxable under this subdivision shall be listed and assessed as valued on the day of assessment. From credits taxable under this subdivision debts due and owing by the party to be assessed shall be deducted in listing and assessing.

Real estate as valued on the first of January.

Debts deducted from credits.

Shares of stock in national banks.

Corporations.

Property in trust.

Property assessed to owner if known.

Tax to be a paramount lien.

Real estate; how designated.

SEC. 4. Shares of stock in national banks shall be listed and assessed to the shareholders. Shares of stock in corporations other than national banks, when the same are taxable, money and taxable bonds, shall be listed and assessed to the shareholder, moneyholder, or bondholder. Property held in trust by an executor, administrator or other trustee, shall be listed to such executor, administrator or trustee.

SEC. 5. Property shall be assessed to the owner, if known; if the owner be unknown then to an unknown owner. The tax shall attach to and constitute a lien on the property assessed, from the day of assessment. If the taxpayer own both real estate and personal taxable property, the tax on the personal property shall also be a lien on the real estate. In each and every case the lien shall be paramount to all other liens whatsoever, and it shall not be removed therefrom until the tax is paid, or until the title vests thereto, under a sale thereof, by virtue of proceedings to enforce payment of the tax.

SEC. 6. In assessing real estate it shall be referred to with reasonable certainty, as to locality and quantity; it shall be sufficient to give the number of the lot, block and plot; and on other lands, the approximate area within the section, or other legal subdivision.

SEC. 7. The property, real and personal, of corporations shall be assessed, and the tax collected to the same extent as if such property were owned by individuals. Corporate property.

SEC. 8. In all cases where a railroad, owned by any person, partnership, firm, company or corporation, shall be located and constructed in this city, the real and personal property appertaining thereto shall be assessed in the same manner as other property. Railroads. The president or other officer of such company or corporation shall, on demand, give to the Assessor a statement containing a description of such road, and the real and personal property appertaining thereto, within the city, with the fair cash value thereof. How assessed. Also the number of locomotives and cars of every description, commonly known as rolling stock, and their fair cash value; the whole length of said road, and the length of that portion thereof in this city, and an apportionment of the valuation of such rolling stock to this city, the same to be estimated according to the proportion to which the portion of said road, in this city, bears to the whole length of said road. President to furnish statement.

SEC. 9. In all cases when the property of a corporation is to be assessed, the Assessor shall issue a written notice to the president, secretary, superintendent, or person in charge of the property of such corporation, that an assessment is to be made, requiring such president, secretary, superintendent, or person in charge of said property, to make a statement upon his oath or affirmation, of the real and personal property of such corporation, situate or being in this city, and deliver the same within ten days from date of said notice. Property of corporations other than railroads. It shall be sufficient to deposit said notice in the postoffice, postage prepaid, directed to Statements.

such corporation at the place where it keeps its principal office or place of business.

Assessor and Collector may administer oaths and appoint deputies.

SEC. 10. The Assessor and Collector is hereby empowered to administer oaths in the discharge of his official duties, and may require persons to give a statement of their taxable property under oath, and he is hereby authorized, when necessary, to appoint one or more deputies, for whose official acts he shall be responsible; and they shall qualify and give bonds with good and sufficient securities to said Assessor and Collector, to be approved by him and filed with the City Recorder.

Blanks to be filled.

SEC. 11. The Assessor may, when he deems it necessary, leave with the person to be assessed, or at his residence or place of business, a blank form of the assessment list—and with corporations, firms or associations suitable forms—requiring the taxpayer to fill out and return the same to the Assessor within ten days from date of service; and any person, corporation, firm or association furnished with said blank forms, must comply with the requirements thereof, or be liable to a fine not to exceed one hundred dollars for each and every such neglect. If any person shall wilfully and knowingly make a false list to the Assessor, or make a false statement of his property, or of property under his control, he may be fined in any sum not to exceed one hundred dollars, or be imprisoned in the city jail not exceeding one hundred days, or both. The City Recorder shall furnish to the Assessor suitable books, conveniently ruled and headed for designating the property to be assessed, which shall constitute the assessment roll.

Books to be furnished Assessor.

SEC. 12. After the first day of January and on or before the second Tuesday in July in each year, the Assessor shall ascertain by diligent inquiry and examination, all property in this city, real and personal, subject to taxation, also, so far as practicable, the names of all persons, corporations, companies or firms owning, claiming or having the possession or control thereof, and shall determine the fair cash value of such property, and shall so list and assess the same to the person, firm, corporation, association or company owning, or having the possession, charge or control thereof, and make returns to the City Council; but the time for making returns may be extended or additions made thereto by order of the Council. No assessment of property or charge for taxes or assessments thereon shall be considered illegal on account of any irregularity or informality in the tax list or assessment rolls, or on account of the assessment rolls or the tax list not being made, completed, or returned within the time required by law, or on account of the property having been charged or listed in the assessment or list in any other name than that of the rightful owner; and no error or informality in the proceedings of any of the officers entrusted with the assessment and collection of taxes, not affecting the substantial justice of the tax or assessment itself, shall vitiate or in anyway affect the tax or assessment. If at any time after the assessment is made and during the year, it should be ascertained that any taxable property has not been assessed, the Assessor may assess the same, and make report thereof to the City Council, and the City Council shall cause the same to be entered in the Collector's roll for collection.

Returns to be made to Council before second Tuesday in July.

Irregularities not to vitiate tax or assessment.

Property omitted.

Return of assessment roll.      SEC. 13. The City Council shall, on the return of the assessment roll, appoint a time to hear complaints (if any), and determine the Assessor and Collector's compensation; also determine the rate per cent. of the city tax for the current year. The Recorder shall, within twenty days after the receipt of the assessment roll, set the amount of tax, in the proper column, opposite the name or description of property, and furnish the Assessor and Collector with said assessment roll. On receipt of the assessment roll from the Recorder, the Collector shall furnish to each taxpayer, by mail, postage prepaid, or leave at his residence or usual place of business (if known) a notice of the amount of tax assessed against him, and where and when payable, and return said assessment roll to the City Council.

Compensation of Assessor.

Notice to taxpayer.

Council to sit as Board of Equalization.      SEC. 14. The City Council shall constitute a Board of Equalization, and shall have power to determine all complaints made in regard to the assessed value of any property, and may change and correct any valuation, either by adding thereto or deducting therefrom; and if the Board of Equalization shall find it necessary to add to the assessed valuation of any property on the assessment roll, they shall direct the Recorder to give notice to the persons interested, by letter, postage prepaid, deposited in the postoffice, or otherwise, naming the day when they shall act in that case, and allowing a reasonable time for such party to appear.

Complaints.

Adding to assessed valuation.

Assessor to be present at Board.      SEC. 15. During the sessions of the Board, the Assessor may be present and shall have liberty to make any statement touching questions before the Board. The Board may remit or abate the taxes of any insane, idiotic, infirm or indigent person to an amount not exceeding five dol-

Power to remit taxes.



lars for the current year. During the session, or as soon as possible after the adjournment of the Board of Equalization, the Recorder shall enter upon said assessment roll all the changes and corrections made by the Board, and furnish the Assessor and Collector with a correct copy of said roll, and file the original with the office records.

Entering  
changes.

SEC. 16. On receipt of the assessment roll from the Recorder, the Collector shall proceed to collect the taxes, and pay the amount collected into the city treasury, monthly, or oftener if required. If any person neglect or fail to pay his taxes on or before the 31st day of October, in the year the taxes are assessed, it shall be the duty of the Collector to levy upon enough taxable personal property of the taxpayer to pay the taxes and costs, and proceed to sell the same in the manner hereinafter mentioned. Before making said sale, he shall give the owner, if known, and an inhabitant of the city, a notice, in writing, of the time and place of sale; he shall also cause public notice to be given, not less than ten nor more than forty days, of the time, place and kind of property to be sold, by posting up said notice in not less than three public places in the vicinity; if real estate is to be sold, one of said notices must be posted up on the premises. When personal taxable property of a delinquent taxpayer is not found by the Collector, or if found, is insufficient in amount to pay his taxes and costs, then the Collector is also authorized to levy upon and sell any real estate belonging, or assessed to, such delinquent taxpayer. The property of non-residents or persons unknown shall not be sold for taxes without giving notice of such sale by advertising at least five times in some newspaper published in Salt Lake City, commencing at least

Duties of  
Collector.

Delinquent  
taxes.

Sale of  
property.

twenty days previous to date of sale. The Collector shall be entitled, as costs, to the same fees as a sheriff or constable for like services. The Collector is hereby authorized and empowered to collect taxes at the rate per cent. of the previous year, at any time after the property has been assessed, in all cases where he has reasonable grounds for supposing that such property will be removed from the city previous to the regular time for collecting. Whenever property shall be sold for taxes, the amount, if any, remaining over and above the tax and costs shall be paid into the city treasury, subject to the order of the person whose property was sold.

Removal of  
property.

SEC. 17. When real estate is sold for taxes, the Collector shall issue a certificate to the purchaser, reciting substantially the facts of the non-payment of the tax, levy upon, advertisement and sale of said real estate, which certificate shall be *prima facie* evidence of the facts therein recited; a duplicate of such certificate shall be filed by the Collector in the office of the Recorder of the county; *Provided*, that if at such sale no person bid and pay the Collector the amount of tax required to be paid as aforesaid on any real estate, the Collector shall make to Salt Lake City Corporation, a certificate similar to that given to other purchasers, and such sale to the city shall have the same effect as if made to an individual. And the City Auditor shall credit the Collector with the amount of the tax due thereon and costs to date of sale.

Certificate of  
sale as evi-  
dence.

Redemption.

SEC. 18. Real estate sold for taxes as aforesaid may be redeemed by any person interested therein, at any time within two years after the date of the sale thereof, by such person paying into the city treasury for the use of the purchaser,

or his legal representatives, the amount paid by such purchaser, and all costs, as aforesaid, with interest at the rate of one and one-half per cent. per month on the whole, from the day of sale to that of the redemption, and all taxes that have accrued thereon and which have been paid by the purchaser after his purchase to the time of redemption.

SEC. 19. Money paid into the treasury in redemption of real estate, purchased at a tax sale, and to which money such purchaser, or his assignee, is entitled, shall be paid to him by the Treasurer, upon his applying therefor and producing the duplicate certificate of the purchase or a copy thereof certified by the Recorder and endorsing thereon a receipt for the amount.

Money paid in redemption.

SEC. 20. If any property, sold as aforesaid, be not redeemed within the time, and in the manner aforesaid, on presentation of the Collector's certificate, the Recorder shall make out and deliver a deed therefor, conveying the same to the individual purchaser, assignee, or city, as the case may be; which deed shall recite, substantially, the amount of tax, the year for which it was assessed, the day and year of the sale, the amount for which the real estate was sold, a full description thereof and the name of the purchaser, assignee or city, as the case may be, and when attested by the corporate seal such deed shall be *prima facie* evidence of the facts recited therein.

Property not redeemed.

Deed to be given purchaser.

SEC. 21. Whenever the Collector shall furnish satisfactory proof to the City Council that he has exhausted all the taxable property, real and personal, of any delinquent taxpayer, the Auditor shall credit the Collector with the amount of the tax of such delinquent remaining unpaid.

Collector entitled to credit after exhausting property of delinquent.

Auditor to  
keep account  
with Assessor  
and Collector.

SEC. 22. It shall be the duty of the Auditor to keep an account with the Assessor and Collector, debiting him with the amount of tax assessed, and crediting him with the amount paid into the city treasury, the amount remitted and the compensation allowed him for his services.

Entry of pay-  
ment.

SEC. 23. Whenever any tax is paid in full to the Collector, he shall mark the word "paid" on the tax roll opposite the name of the taxpayer, and shall give a receipt therefor.

Collector to  
settle with  
Auditor.

SEC. 24. On or before the thirty-first day of May, in each year, the Collector shall settle with the Auditor and make full payments into the city treasury for all taxes due. If any tax shall remain unpaid to the Collector on the said thirty-first day of May, the Collector shall have, in his own individual right, a right of action, the same as on express contract for the direct payment of money, against each delinquent. And no property of such delinquent shall be exempt from execution on a judgment in such cases.

Terms defined.

SEC. 25. Whenever the terms mentioned in this section are employed in this subdivision, they are employed in the senses hereinafter affixed to them, except where a different sense plainly appears:

Same.

First.—The term person, when applicable, includes firm, partnership, joint stock company, association and corporation.

Second.—Words in the singular number may include the plural, and words in the masculine may include the feminine.

Third.—The term property includes both real estate and personal property as hereinafter defined.

Fourth.—The term personal property in-

cludes money and all other property, tangible or Same. intangible, except real property.

Fifth.—The term intangible property includes shares of stock in corporations and in joint stock companies and taxable bonds.

Sixth.—The term real property includes land, land claims, and all improvements thereon.

Seventh.—The term real estate includes the ownership of, or claim to, or possession of, or right of the possession to, any real property in this city.

Eighth.—The term writing includes printing, and the terms printing and printed include writing and written.

### *Poll Tax.*

SEC. 26. Two days' work of eight hours each, or in lieu thereof three dollars lawful money, is an annual road poll tax upon every man over twenty-one and under fifty years of age, who is not physically incapacitated to work, resident within Salt Lake City. Two days, work or three dollars required annually.

SEC. 27. Said poll tax shall be collected under the regulations hereinafter provided, and shall be used by said city for improving: How used.

First.—The public highways designated by the county court of Salt Lake County, within and running through said city; and,

Second.—Any other streets or alleys in said city.

All labor performed shall be done under the direction of the Supervisor of Streets for Salt Lake City.

SEC. 28. Said Supervisor shall, by diligent search and inquiry, made at such times as he may elect between the first day of January and Supervisor shall make list of taxpayers.

the thirtieth day of November in each year, ascertain and list the names of all persons within the corporate limits of said city, who are liable to pay poll tax, as provided in Section 26 of this chapter. He shall enter said names in a suitable register, which shall be furnished him for that purpose by the City Recorder, at the expense of the city. The names in each municipal ward shall be entered on the register separately from the names of the other wards, and the names in each ward shall be in alphabetical order, with suitable columns opposite each name to enter date of notice, the time in which the person named is required to perform the labor, the kind of pay received and date of payment.

Notice to work  
given by  
Supervisor.

SEC. 29. It shall be the duty of said Supervisor, at some time between the first day of January and the thirtieth day of November in each year, to deliver to each person liable to pay poll tax, or leave at his residence or usual place of business, a written or printed notice, citing him to appear at such time and place as may be designated in said notice, with appropriate tools for the kind of work to be performed, giving each person not less than two days' notice of such requirement. Whenever necessary, the Supervisor is authorized to employ team labor upon such terms as he may deem proper.

Delinquent tax  
payable in  
money.

SEC. 30. If any person shall fail to pay the tax required by this ordinance within ten days after the time mentioned in the notice provided for in the preceding section, said tax shall be deemed delinquent, and the person so liable shall thereafter be required to pay such tax in money; and the Supervisor of Streets, as such, must proceed to collect the same as an action of debt in any court having jurisdiction; and no property

of such delinquent shall be exempt from execution on a judgment so recovered.

SEC. 31. The Supervisor is hereby authorized to receive, at his office, cash in payment of poll tax, from any person tendering the same, and he shall pay over all money so collected to the City Treasurer quarterly, or oftener if required by the City Council. He shall keep stub receipt books, issue all receipts therefrom, and deliver to each person making payment of tax a receipt therefor. The receipts and stubs shall each show whether the tax was paid in money or labor, and if paid in both, what portion of each. The stubs shall also contain any other facts shown in the receipts. The stubs of said receipt books shall be delivered to the City Treasurer with all moneys not previously paid over, on or before the fifteenth day of December in each year.

Money to be paid into treasury.

Receipts shall show what kind of payment.

SEC. 32. On or before the thirty-first day of January in each year, the Supervisor of Streets shall return to the City Council the register provided for in Section 28 of this chapter, with a written report containing a summary of the facts shown therein, which said report shall show:

Supervisor's annual report to City Council.

First.—The total number of persons assessed for poll tax during the past year in Salt Lake City.

Second.—The total amount of poll tax paid in labor.

Third.—The total amount of poll tax paid in money.

Fourth.—The amount of tax collected by suit, and the names of the delinquents.

Fifth.—The amount of uncollected poll tax, the name of each delinquent, and the reason in each case why such tax remains uncollected.

Sixth.—The amount and kind of poll tax labor expended within the city limits, and the places where such labor was performed.

Seventh.—A general report of the condition of public highways within his jurisdiction.

Special Reports.

Penalty.

SEC. 33. The City Council may at any time require special reports from the Street Supervisor. A failure to make any report as provided in this subdivision shall subject the Supervisor to a penalty in any sum not exceeding one hundred dollars, to be recovered in an action on his bond.

### *Licenses.*

Doing business without license unlawful.

SEC. 34. It shall be unlawful for any person to engage in or carry on any business, trade, profession or calling for the transaction or carrying on of which a license is required, without first taking out or procuring the license required for such business, trade, profession or calling.

Application for license; how made.

SEC. 35. All applications for license shall be made in writing to the Mayor, and the amount, as hereinafter provided, shall be paid in advance to the City Treasurer. All licenses shall be issued and signed by the Mayor, or presiding officer of the City Council, and attested by the City Recorder under the seal of the city. The Recorder shall keep an alphabetical list of licenses issued, stating the number, name, time, place and kind of business, and the amount paid, with such remarks as may be considered necessary.

License; what to contain.

SEC. 36. Every such license shall specify by name the person, firm or corporation to whom it shall be issued, and shall designate the particular place at which the business shall be carried on. No license granted or issued under any of the



provisions of this chapter, or otherwise, shall be in any manner assignable or transferable, or authorize any person other than is therein mentioned or named, to do business or authorize any other business than is therein mentioned or named to be done or transacted, or the business therein mentioned or named to be done or transacted at any place other than is therein mentioned or named unless by permission of the Mayor endorsed on such license.

SEC. 37. Licenses for any vocation or business for which a yearly license is required, may be issued for terms of six months, upon the payment of seven per cent. additional upon one-half the amount of the yearly license; and for terms of three months, upon the payment of ten per cent. on one-fourth of such yearly license.

Quarterly and half-yearly licenses.

SEC. 38. If any person shall furnish such evidence as shall satisfy the Committee on License that he or she by reason of misfortune or physical infirmities merits exemption from the payment of any license herein required, the Mayor may remit such license upon the recommendation of a majority of such committee; *Provided*, That no license to manufacture or sell intoxicating liquors shall be remitted.

Free licenses; when may be given.

SEC. 39. Whoever violates any of the provisions or requirements contained in this chapter, where the penalty is not provided, shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding one hundred days, or both.

Penalty.

*Bankers, Brokers, etc.*

SEC. 40. Every banker, broker, and money changer, before commencing or carrying on his

Bankers, brokers, etc.

Capital em-  
ployed.

business, shall make a statement under oath, sworn to before the Mayor or Recorder, of the value or amount of the capital so employed; which statements shall be filed in alphabetical order, and yearly licenses issued thereon as follows:

Upon a capital of \$300,000 and over, . . . .	\$500
Upon a capital of \$200,000 and less than \$300,000, . . . . .	300
Upon a capital of \$100,000 and less than \$200,000, . . . . .	200
Upon a capital of less than \$100,000 and over \$50,000, . . . . .	100
Upon a capital of \$50,000 or less, . . . . .	50
When no capital is employed, . . . . .	25

*Merchants and Retailers.*

Merchants and  
retailers.

Capital em-  
ployed.

SEC. 41. Every merchant and retailer, before commencing or carrying on his business, shall make a statement of the cash value of all goods, wares and other merchandise which he may have in his possession or under his control, whether owned by him or consigned to him for sale, which statement shall be sworn to before the Mayor or City Recorder, by the merchant making it, or his duly authorized agent; *Provided*, That if any merchant shall increase his stock beyond the limit of his class of business during the period of his license, he shall procure an additional license for such increase. The Recorder shall file all such statements in alphabetical order, and yearly licenses may be issued thereon as follows:

Over \$500,000 shall constitute first class, and pay . . . . .	\$500
Over \$400,000 and not exceeding \$500,000 shall constitute second class, and pay	450

Over \$300,000 and not exceeding \$400,000 shall constitute third class, and pay..	\$400	Same.
Over \$200,000 and not exceeding \$300,000 shall constitute fourth class, and pay	350	
Over \$100,000 and not exceeding \$200,000 shall constitute fifth class, and pay...	300	
Over \$75,000 and not exceeding \$100,000 shall constitute sixth class, and pay..	250	
Over \$60,000 and not exceeding \$75,000 shall constitute seventh class, and pay	225	
Over \$50,000 and not exceeding \$60,000 shall constitute eighth class, and pay	200	
Over \$40,000 and not exceeding \$50,000 shall constitute ninth class, and pay..	175	
Over \$30,000 and not exceeding \$40,000 shall constitute tenth class, and pay..	150	
Over \$20,000 and not exceeding \$30,000 shall constitute eleventh class, and pay	125	
Over \$15,000 and not exceeding \$20,000 shall constitute twelfth class, and pay	100	
Over \$10,000 and not exceeding \$15,000 shall constitute thirteenth class, and pay .....	90	
Over \$8,000 and not exceeding \$10,000 shall constitute fourteenth class, and pay..	80	
Over \$5,000 and not exceeding \$8,000 shall constitute fifteenth class, and pay....	70	
Over \$4,000 and not exceeding \$5,000 shall constitute sixteenth class, and pay....	60	
Over \$3,000 and not exceeding \$4,000 shall constitute seventeenth class, and pay	50	
Over \$2,000 and not exceeding \$3,000 shall constitute eighteenth class, and pay..	40	
Over \$1,000 and not exceeding \$2,000 shall constitute nineteenth class, and pay..	30	

Same.	Over \$500 and not exceeding \$1,000 shall constitute twentieth class, and pay . . . . .	\$25
	Over \$200 and not exceeding \$500 shall constitute twenty-first class, and pay . . . . .	15
	Not exceeding \$200 shall constitute twenty-second class, and pay . . . . .	10

Restrictions. *Provided*, That under classes twenty-one and twenty-two no person shall have the right to sell tobacco and cigars The provisions of this section shall not be construed to authorize any person to sell spirituous, vinous or fermented liquors in any quantity.

*Liquors.*

Selling with-  
out license  
prohibited.      SEC. 42. No person shall manufacture, sell, barter, deal out or otherwise dispose of any spirituous, vinous, malt or other intoxicating liquors, without first obtaining from the City Council a license therefor as hereinafter provided.

Applications.      SEC. 43. Applications for such license shall be made by petition to the City Council, signed by the applicants and filed with the Recorder. Said petition must state definitely the particular place at which the said liquors are to be manufactured, sold, bartered, dealt out or otherwise disposed of, and whether at wholesale or retail. The applicant shall also file with the petition a bond to Salt Lake City, conditioned that during the continuance of his license he will keep an orderly and well-regulated house, that he will not allow gambling with cards, dice or any other device or implements used in gambling, within his house where such business is conducted; that he will pay all damages, fines and forfeitures which may be adjudged against him under the provisions of

Bond.

What to contain.

this chapter and an act of the Governor and Legislative Assembly of the Territory of Utah, entitled, "An act licensing and regulating the manufacturing and sale of intoxicating liquors," approved March 9th, 1882. Said bond shall be in the sum of one thousand dollars, with two or more sureties, to be approved by the Mayor. Said sureties must justify on oath before the Recorder, that they are residents within the Territory, and are worth the amount specified in said bond over and above all other debts and liabilities, exclusive of property exempt from execution. Such justification shall be in writing, signed by the persons justifying, and certified to by said Recorder, and be attached to and filed with the bond.

Amount of  
bond, etc.

SEC. 44. On the City Council granting the license petitioned for, which shall be for the period of three months, the applicant shall pay into the city treasury the amount hereinafter specified for such license, and shall receive the Treasurer's receipt therefor, and present the same to the Recorder, who shall thereupon issue to the applicant a certificate of license, which certificate shall state the name of the person or persons licensed, the place of business, the kind or kinds of liquors to be manufactured, sold, bartered or otherwise disposed of, the date of commencement and expiration of such license and the class of business to be conducted under said license; that the person or persons named therein are duly authorized to carry on the business of manufacturing, selling, bartering or otherwise disposing of intoxicating liquors, as the case may be, at the place and for the time therein specified, and that the license is not transferable. Said certificate shall be signed by the Recorder, who shall seal the same with the seal of the city.

Certificate of  
license.

What to state.

SEC. 45. A manufacturer, as contemplated in this chapter, is one who manufactures any of the before mentioned liquors, and sells the same at wholesale as follows: If in kegs, not less than two gallons; if in bottles, not less than one dozen; but no such liquor shall be sold or otherwise disposed of to be drunk on the premises where manufactured. A wholesale dealer, as contemplated in this chapter, is one who sells or otherwise disposes of such liquors in any quantity not to be drunk on the premises where sold. A retail dealer, as contemplated in this chapter, is one who sells or otherwise disposes of such liquors in any quantity, and also by the glass or dram, to be drunk on the premises where sold.

Manufacturer defined.

Wholesale dealer.

Retail dealer.

Amount of license.

SEC. 46. The following named sums shall be paid into the city treasury in advance, for each license granted as herein provided:

First.—As a manufacturer, . . . . .	\$100
Second.—As a wholesale dealer, . . . . .	250
Third.—As a retail dealer, . . . . .	300

Selling, etc. to Indian, etc.

SEC. 47. Any person who shall knowingly give, sell or otherwise dispose of any intoxicating drink to an Indian, insane or idiotic person, or to any minor without the consent of his or her guardian, shall, on conviction, be fined in any sum less than one hundred dollars and shall pay all costs of prosecution for every such offense.

Selling on Sunday.

SEC. 48. Any person licensed as aforesaid, or any person neglecting or refusing to obtain a license as herein provided, who shall sell, give away, or otherwise dispose of any intoxicating drink at any time during the first day of the week, commonly called Sunday, except he be a druggist, and then only for medicinal purposes, upon the prescription of a regularly licensed physician,

shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, or be imprisoned for a period not exceeding one hundred days, or both such fine and imprisonment.

SEC. 49. It shall be unlawful for any person to permit, at any place under his control where intoxicating liquors are sold, any gambling, with or without betting, by means of dominoes, cards, dice or other articles, every game of chance, and every other description of gaming or gambling. He shall prohibit music, dancing, drunkenness and all disorderly conduct on his premises. A violation of any of the provisions of this section shall subject the offender to a fine in any sum not exceeding one hundred dollars for each offense.

Gaming, disorderly conduct, etc., on premises.

SEC. 50. The Mayor, whenever, in his judgment, the peace, good order and safety of the city or its inhabitants shall require it, and on municipal, county and territorial election days, and on all legal holidays, may, by proclamation, forbid the sale, barter, dealing out or otherwise disposing of spirituous, vinous, malt or other intoxicating liquors for any given period, not to exceed twenty-four hours at any one time, and any person who shall sell, barter or give away any such liquors in contravention of such proclamation, shall, on conviction, be fined in any sum not exceeding one hundred dollars for each offense.

Mayor may prohibit sales on election days, etc.

Penalty.

### *Billiard Tables, Etc.*

SEC. 51. No person shall keep or use in any public place in this city any billiard or pool table or tables, or any pin or ball alley, or nine or ten pin alley or alleys, or the runway or runways of either thereof, in or on which games are

License required.

played, without first obtaining a license and paying a tax therefor as hereinafter provided.

Application;  
what to contain.

SEC. 52. All applications for licenses contemplated by the preceding section shall state the number and kind of tables, pin or ball alleys, or nine or ten pin alleys and the runways thereof, to be licensed, and the place of keeping the same. Upon the filing of such application and upon payment into the city treasury of forty dollars per annum for each and every such table, and of forty dollars per annum for each and every pin or ball alley or nine or ten pin alley, and the runway thereof, specified in said application, yearly licenses may be issued thereon.

Amount of  
License.

Penalty for  
running on  
Sunday, etc.

SEC. 53. Every person who keeps for use in any public place in this city, any billiard or pool table or tables, or any pin or ball alley, or nine or ten pin alley or alleys, or the runway or runways of either thereof, without first obtaining a license therefor, as hereinafter provided; or who permits any such billiard or pool table or tables, or any such pin or ball alley, or nine or ten pin alley or alleys, or the runway or runways of either thereof, to be used on the first day of the week, commonly called Sunday, shall, for each and every such offense, upon conviction, be punished by fine in any sum not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding one hundred days, or by both such fine and imprisonment, at the discretion of the court.

#### *Hotels or Taverns, Etc.*

Defined.

SEC. 54. Whoever shall keep any public house with lodging rooms for the accommodation of more than twenty persons is declared to be a tavern or hotel keeper. Every tavern or hotel



keeper shall make a statement of the number of rooms of all kinds his house contains, which statement shall be sworn to before the Mayor or the City Recorder, by the tavern or hotel keeper, or his duly authorized agent. The Recorder shall file all such statements in alphabetical order, and yearly licenses may be issued thereon, as follows, viz:

Over 100 rooms shall constitute first class, and shall pay .....	\$200	Amount of License.
Over 75 to 100 rooms shall constitute second class, and shall pay .....	150	
Over 50 to 75 rooms shall constitute third class, and shall pay .....	100	
Over 25 to 50 rooms shall constitute fourth class, and shall pay .....	50	
25 rooms and under shall constitute fifth class, and shall pay .....	25	Lodging rooms.

*Provided*, Licenses may be granted for lodging rooms exclusively at half the foregoing rates.

*Boarding Houses.*

SEC. 55. Whoever shall rent rooms, furnished or unfurnished, and board the occupants of such rented rooms, or board not exceeding twenty persons, shall be deemed a boarding house keeper. Every boarding house keeper shall make a statement as to the location of the house, the number of rooms contained in such house and the number of persons which such house will reasonably accommodate, which statement shall be sworn to before the Mayor or Recorder. The Recorder shall file all such statements and yearly licenses may be issued thereon as follows:

Amount of license.	For houses containing rooms which will accommodate from three to five persons,.....	\$ 6 00
	For houses containing rooms which will accommodate over five persons and not exceeding ten persons, .....	14 00
	For houses containing rooms which will accommodate over ten persons and not exceeding twenty persons, .....	20 00
	And all houses containing rooms which will accommodate over twenty persons shall be deemed to be hotels.	

*Restaurants.*

Defined.                    SEC. 56.    Whoever shall keep any house or place for furnishing meals without lodging, within this city, is declared to be a restaurant keeper. Every restaurant keeper shall make a statement of the greatest number of persons he can furnish with meals at one time, which statement shall be

Statement.                sworn to, before the Mayor or City Recorder, by the restaurant keeper, or his duly authorized agent. The City Recorder shall file all such statements, and yearly licenses may be issued thereon as follows, viz:

Amount of license.	For all restaurants able to accommodate thirty or more guests at one time, . .	\$75 00
	For all restaurants unable to accommodate thirty or more guests at one time, . .	40 00

Restrictions.            *Provided*, That no tavern keeper, hotel keeper, boarding house keeper, or restaurant keeper's license shall in any manner authorize the sale of spirituous, vinous, malt or ardent liquors.

*Physicians, Etc.*

SEC. 57. For each license for a physician, surgeon, dentist, oculist or aurist, twenty-five dollars. No license shall be issued under this section to any person except on presentation of a diploma or other evidence of competency. All such or other persons who prepare or put up drugs or medicines, are hereby required to label them in a plain and legible manner, in the English language, and all drugs of a poisonous nature shall be labeled "poison."

Amount of license.

Evidence of competency, etc.

Poisons, etc., to be labeled.

*Auctioneers.*

SEC. 58. No person shall be allowed to sell or expose for sale, by way of vendue, or auction, any property within the limits of said city, without first obtaining a license for such purpose, for which such person shall pay into the city treasury the sum of one per cent. of all moneys received on all goods sold by him, and give a bond to said city, with approved securities, in the sum of one thousand dollars, conditioned for the honest and due performance of all duties as herein required, which bond shall be approved by the City Recorder and filed in his office.

License required.

Bond.

SEC. 59. All auctioneers so licensed shall receive all articles which they may be required to sell at auction, and give receipts for the same; and at the close of any sale shall deliver a fair account of such sale and pay the amount received for such articles to the person or persons entitled thereto, deducting therefrom a commission not to exceed ten per cent. on the amount of such sales.

To give receipts for goods, etc.

SEC. 60. It shall be the duty of every auctioneer, licensed as aforesaid, to pay the sum of

Per cent. to be paid city.

Returns on  
oath, etc.

one per cent. into the city treasury on all sums realized on all goods or chattels by him sold, monthly, or oftener if required; and in accounting for such sales it shall be incumbent on every auctioneer to make his returns under oath or affirmation, and exhibit to the City Recorder his books of sales when required so to do by said Recorder; and should any auctioneer neglect or refuse to comply with the foregoing requirements, he shall forfeit his license, and be liable to pay a fine in any sum not less than ten nor more than one hundred dollars for each offense.

Obstructions  
prohibited.

SEC. 61. All auctioneers are hereby forbidden to sell, or expose for sale, any kind of property so near to the streets as to cause people to gather in crowds on the sidewalks so as to obstruct the same, or to use immoral or indecent language in crying their goods, or to make noisy acclamations or ring bells through the streets in advertising their goods or chattels.

Exceptions.

SEC. 62. Nothing herein shall be so construed as to prohibit any sheriff, constable or other officer, whose duty shall require him to sell property at public auction, from so doing.

### *Livery Stables.*

Defined.

SEC. 63. A livery stable keeper is one who keeps for hire horses, carriages or other vehicles. Every livery stable keeper shall make a statement of the number of animals and vehicles of all descriptions to be kept by him, which statement shall be sworn to, before the Mayor or City Recorder, by the livery stable keeper or his duly authorized agent. The City Recorder shall file all such statements, and may issue yearly licenses thereon as follows, viz:

Statement.

For ten vehicles and over, with animals, \$100  
 per annum. Amount of  
license.  
 For five to ten vehicles, with animals, 60  
 per annum.  
 For less than five vehicles, with animals, 30  
 per annum.

*Passenger and other Vehicles.*

SEC. 64. Every hackman, drayman, carter, Hackmen, etc.  
to be licensed.  
 porter, omnibus driver, cabman, packer and car-  
 man plying his vocation upon the streets of Salt  
 Lake City, shall be licensed and pay therefor, an-  
 nually, in advance, as follows:

First.—Upon a license to run an omnibus,	\$25	Amounts.
Second.—Upon a license to run a carriage, express wagon, cab, coach, hack or other passenger vehicle drawn by two or more horses, .....	20	
Third.—Upon a license to run a buggy, cab, express wagon or other passenger ve- hicle, drawn by one horse, .....	15	
Fourth.—Upon a license to run a dray, truck, wagon or other such vehicle drawn by two or more horses, .....	12	
Fifth.—Upon a license to run a dray, truck, wagon or other such vehicle drawn by one horse, .....	9	

SEC. 65. All drays, trucks, express and job  
 wagons, licensed as hereinbefore provided, shall Numbers, etc.  
 be numbered with plain figures, painted on me-  
 tallic plates, not less than three inches long and  
 two inches wide, which shall always be kept con-  
 spicuously in view; said numbers shall be fur-  
 nished with the license by the City Recorder.

*Butchers, Slaughterers, etc.*

Amount of  
license.

SEC. 66. Every butcher or slaughterer shall pay a yearly license of \$25.

Slaughtering  
in fire limits,  
etc.

SEC. 67. It shall not be lawful for any person to slaughter any animal within the fire limits or for any person to erect any slaughter-house or yard, or engage in the business of slaughtering, at any place other than such as may be designated by the City Council.

Record to be  
kept.

SEC. 68. All persons licensed as butchers or slaughterers shall keep a book in which they shall record a faithful description of the age, size and color of all animals by them killed, with the brands and marks thereon, together with the name of the person from whom received, and the time when killed, which book shall be open to the inspection of the public.

Slaughter-  
houses, etc., to  
be cleaned.

SEC. 69. All persons engaged in the business of butchering or slaughtering, within the limits of this city, are hereby required to thoroughly cleanse their slaughter-houses and yards once each twenty-four hours, and to remove from their premises and deposit all offal in such manner and at such place or places as may be designated by the City Marshal.

Duty of Mar-  
shal.

SEC. 70. It shall be the duty of the City Marshal, or his deputy, (as often as he may deem necessary) to visit the slaughter-houses within the limits of this city, to examine the books and see that a faithful record is made of all animals killed, and that the slaughter-houses are thoroughly cleansed, as herein provided.

Penalty.

SEC. 71. Any person violating the provisions herein contained, in relation to butchers or slaughterers, shall be liable to a fine in any sum not less than five nor more than one hundred dol-

lars; and on a second conviction, in addition thereto, his license may be declared forfeited.

*Peddlers and Hawkers.*

SEC. 72. It shall not be lawful for any person or persons to carry on the business of peddling or hawking, or to offer for sale, barter or exchange, at retail, any garden or farm produce, butter, eggs, poultry, fish, game, medicine or other goods, wares or merchandise, in, upon, or along the streets of this city, without first obtaining a license therefor.

Peddling and hawking.

SEC. 73. Licenses for peddling or hawking as above described may be issued for the term of one year, on payment in advance, of the following sums:

Amount of license.

For a license to peddle fruit,.....	\$10 00
For a license to peddle vegetables, fruit and garden produce, butter, eggs, poultry, fish and game,.....	25 00

*Provided,* That nothing herein shall be deemed to apply to persons offering for sale butter and eggs, fruit or vegetables raised or produced by themselves.

For a license to peddle merchandise and other property, medicine excepted,	\$ 50 00
For a license to peddle or hawk medicine,	400 00

SEC. 74. Any person licensed as aforesaid, using a wagon, cart, or other vehicle in the business of peddling or hawking, shall have every such wagon, cart or other vehicle, conspicuously and permanently marked with the words "Licensed Vendor," and numbered with plain figures, painted on metallic plates; said numbers shall be furnished with the license by the City Recorder.

Carts, etc., to be numbered.

*Dogs.*

Dogs to be registered.

SEC. 75. It shall not be lawful for any person to own or keep a dog within the limits of this city, without making application to the City Recorder for that purpose, and shall pay to said Recorder, for the benefit of the city, an annual tax of three dollars. The Recorder shall register the applicant's name and a description of the dog, and give to said applicant a certificate of registry. Any person violating this section shall be liable to a fine in any sum not less than three nor more than ten dollars for each offense.

Collars and numbers.

SEC. 76. All dogs so registered shall wear a suitable collar with a number corresponding with the certificate of registry inscribed thereon, and all dogs not registered and collared as aforesaid shall be liable to be killed by any person.

Female dog at large.

SEC. 77. Any female dog running at large while in heat shall be liable to be killed, and the owner or possessor thereof shall be liable to a fine in any sum not exceeding fifteen dollars.

Permitting in place of worship.

SEC. 78. Any owner or possessor of a dog permitting the same to enter or be in any place of worship during public service, shall be liable to a fine in any sum not exceeding five dollars for each offense.

Dangerous dog, etc., at large.

SEC. 79. If any owner or possessor of a fierce, dangerous or mischievous dog permits the same to go at large, he shall be liable to be fined in any sum not exceeding fifteen dollars, and the City Marshal shall immediately cause said dog to be killed. The said Marshal is hereby authorized and required to cause the destruction of all dogs not registered according to the provisions herein contained.

Marshal to destroy unregistered dogs.



SEC. 80. Any person who shall kill, or cause to be killed, any dog registered as herein provided, without the consent of the owner or possessor thereof, or deprive a registered dog of its collar, or put a collar on any dog not registered, shall be liable to a fine in any sum not exceeding twenty-five dollars.

Penalty for killing registered dog.

*Miscellaneous Licenses.*

SEC. 81. Every person, before engaging in or pursuing any business, vocation or calling hereinafter mentioned, shall obtain a license so to do and make yearly payments into the city treasury, in advance, as follows:

Amounts of miscellaneous licenses.

First.—For a license for a skating rink, . . .	\$100
Second.—For a license for a shooting gallery,	50
Third.—For a license as real estate agent, .	25
Fourth.—For a license as insurance agent, for each company represented, . . . . .	25
Fifth.—For a license as sewing machine agent, for each company represented, . .	25
Sixth.—For a license as expressman or ex- press company, . . . . .	50
Seventh.—For a license to keep an intelli- gence office, . . . . .	10
Eighth.—For a license as photographer, . . .	25
Ninth.—For a license as bill poster, . . . . .	10
Tenth.—For a license as fresh meat dealer,	50
Eleventh.—For a license as hotel runner, . .	50
Twelfth.—For a license to engage in sam- pling, crushing or smelting ores, . . . . .	100
Thirteenth.—For a license for every tele- graph or telephone company, . . . . .	100
Fourteenth.—For a license as pawnbroker, .	50

- Same. Fifteenth.—For a license as second hand dealer: two per cent. per annum upon the value or amount of capital employed in such business; *Provided*, No yearly license shall be issued for less than . . . . 25
- Sixteenth.—For a license for a circus or equestrian exhibition, for each performance, . . . . . 100
- Seventeenth.—For a license for a traveling menagerie, for each exhibition, . . . . . 50
- Eighteenth.—For a license for a theatre, concert hall, or other place of amusement not otherwise provided for in this chapter, having a seating capacity of one thousand persons or more, \$200 per annum, or \$5 for each performance; where the seating capacity thereof is less than for one thousand and more than five hundred persons, \$100 per annum, or \$2.50 for each performance; and where the seating capacity thereof is less than for five hundred persons, \$50 per annum, or \$1.25 for each performance.
- Nineteenth.—For a license for a concert, ball, lecture, tricks of legerdemain, or any other exhibition, show or amusement not herein otherwise provided for, where the seating capacity of the building or other place in which the same is held or performed is greater than for one thousand persons, \$5 for each performance or exhibition; where the seating capacity thereof is less than for one thousand and more than five hundred persons, \$2.50 for each performance or exhibition; and where the seating capacity thereof is for less than five hundred persons, \$1.25 for each performance or exhibition.

## CHAPTER XXIV.

## OF THE HEALTH DEPARTMENT.

1. Quarantine limits defined.
2. Board of Quarantine. Their duties.
3. Infected persons may be removed. Discretionary powers of Board. Flag to be displayed. Other precautions.
4. Physicians to report contagious diseases to Quarantine Physician
5. Penalties.

SECTION 1. Salt Lake City, and all that district of country embraced within twelve miles of the outer limits thereof, are hereby declared subject to quarantine regulations.

SEC. 2. The City Council shall appoint one or more Quarantine Physicians, each of whom, before entering upon the duties of his office, shall take and subscribe an oath, and give bonds in the penal sum of two thousand dollars, conditioned for the faithful performance thereof, who, associated with the Mayor and the standing committee of the City Council on sanitary regulations and quarantine, shall constitute a Board of Quarantine, whose duty it shall be to make and enforce quarantine regulations within the above described quarantine limits.

SEC. 3. If any person shall be found in an unhealthy condition from any contagious disease within the aforesaid quarantine limits, he shall, if, in the judgment of said Board of Quarantine, the safety of the person so infected, or the public, shall render such action necessary, be required to move forthwith to such place as said Board may direct; and if any person neglect or refuse to comply therewith, it shall be the duty of said

Discretionary  
powers of  
Board.

Flag to be dis-  
played.

Other pre-  
cautions.

Board to have it done at the expense of said person; and if, in the judgment of said Board, it shall be deemed advisable for the person so infected to remain in his usual place of abode for care and treatment, or such other less stringent means as said Board may, in the particular case, deem adequate for the public safety, compel the strict quarantining of said place of abode by causing to be kept displayed conspicuously upon such premises, during the period of danger, a flag of such color and bearing such words and device as they may direct, as well as by establishing a guard at or near the same; by giving notice in the most public manner practicable that said premises are infected; by regulating and prohibiting ingress and egress to and from said premises until all danger from infection therein shall have ceased, and the most thorough measures for disinfecting said premises shall have been taken; by prohibiting all public meetings, schools and funerals within the infected district; and by prescribing the time within which persons dying of contagious disease shall be interred and the manner thereof. And if the effects of any person be found in a condition liable to engender contagious disease, the same shall, at the discretion of the Quarantine Physician, be removed or destroyed at the expense of the owner thereof; and in the event of the removal of any person so infected, the premises from which he is removed, and the household thus exposed, shall be strictly quarantined, until all danger of infection shall have passed; and such measures for the purification of said premises shall be taken as in the judgment of the Quarantine Physician shall be necessary.

SEC. 4. The names of all Quarantine Physicians shall, when deemed necessary by the

Board, be published in some newspaper printed in Salt Lake City. All physicians and other persons having any knowledge of the existence of any malignant contagious disease, or having reason to believe any such disease exists, are hereby required to report the same forthwith to a Quarantine Physician; and all physicians, nurses and all other persons who have been or shall be exposed to such contagious disease, are hereby forbidden to mingle with or be in the presence of others subject to the contagion without having changed their outer clothing used where such diseases were, and having taken such other precautions against spreading the contagion as may be prescribed by the Board, or to otherwise expose any person to such contagion.

Physicians to report contagious disease to Quarantine Physician.

SEC. 5. Any person neglecting or refusing to comply with any of the requirements of this chapter, or the requirements of said Board of Quarantine, made in pursuance thereof, or who shall take down or remove any quarantine flag from any infected premises, shall, for each and every offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding six months, or by both such fine and imprisonment, at the discretion of the court.

Penalties.

## CHAPTER XXV.

## OF ESTRAY POUNDS.

1. City estray pound designated.
2. Duties of Poundkeeper.
3. Animals received to be registered.
4. Sale of impounded animals.
5. Disposition of proceeds of sale.
6. Cattle, etc., at large. Herding on unenclosed lands.
7. Appraisal of damage.
8. Taking animals to pound.
9. Detaining animals.
10. Taking animals out of proper custody. Penalty.
11. Maliciously secreting or impounding animals.
12. Fees, etc., of Poundkeeper.
13. Records; what to contain. Funds to be paid to City Treasurer.

City estray  
pound design-  
ated.

SECTION 1. Part of Lot 3, Block 38, Plot "A," Salt Lake City survey, situate and being on the south side of the public grounds known as Washington Square, in the First Municipal Ward, is hereby designated as the city estray pound, for impounding animals running at large or doing damage within the corporate limits of said city, as hereinafter provided.

Duties of  
Poundkeepers.

SEC. 2. It shall be the duty of the City Poundkeeper to receive and take care of all animals committed to his charge and provide all necessary forage therefor, and use due diligence to find the owners of said animals, by examining the Record of Marks and Brands and otherwise, and notify the owner if found. He shall receive and file all bills of damage duly presented and enter the amounts in the pound book, which shall be open to the inspection of the public; he shall not deliver any animal to the owner until all costs and damages are paid or satisfactorily arranged for.

SEC. 3. The City Poundkeeper shall register,

in the pound book, all animals delivered to him for commitment, which registration shall set forth when received, from whom, where found, amount of damage done, kind of animal, approximate age, color, marks, brands, and such other description as may aid the owner to identify his animal, a true copy of which the Poundkeeper shall forthwith post up on the outside of the entrance door of said pound.

Animals received to be registered.

SEC. 4. All animals remaining unclaimed three days from the time of commitment shall be advertised for sale by the Poundkeeper not less than three times, in some newspaper, published in said city, having general circulation, giving a description of said animals as directed in Section 3 of this chapter, and that, if not claimed and taken away within ten days from the date thereof, he will expose them at public sale, specifying the time and place, and sell them to the highest responsible bidder.

Sale of impounded animals.

SEC. 5. The net proceeds of the sale of all animals made in pursuance of Section 4 of this chapter shall be paid into the city treasury, subject to the order of the owners of said animals, if applied for within six months from the date of sale; if not applied for by the owners within that time the City Treasurer shall place the amount to the credit of the city revenue.

Disposition of proceeds of sale.

SEC. 6. No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large, or be herded, picketed or staked out upon any street, sidewalk or other public place within the limits of this city; and all such animals so found may be taken up and driven to the estray pound; *Provided*, That nothing herein shall be so construed as to prevent any citizen from herding milch cows, work cattle, horses, mules or other animals

Cattle, etc., at large.

Herding on unenclosed lands.

on the unenclosed public lands within the city, but away from the settled portions thereof.

Appraisal of  
damage.

SEC. 7. All damages done by any animal trespassing shall, upon request of the person damaged, be forthwith appraised by any disinterested person, who may make a reasonable charge for such service, and shall set forth in such appraisal, in writing, the time and place of damage, the amount of damages, together with his charges, the name of the owner of the animal, if known, the name of the person so damaged; also the kind and description of the animal; which appraisal, if not paid or satisfactorily arranged for by the owner, or if the owner be not found, shall, together with the animal, be delivered to the City Poundkeeper. *Provided*, that if the owner deem the appraisal too high, said owner may choose another appraiser, who, with the first, may make a new appraisal; or when they cannot agree, they two may choose a third, and the three may proceed to make a final appraisal.

Taking ani-  
mals to pound.

SEC. 8. Any animal found doing damage may be taken up by any person, and if the owner cannot be found, or if found shall refuse to pay all costs and damage, said animal may be taken forthwith to the city pound and delivered to the keeper thereof, and may be held and sold as provided in Section 4 of this chapter, unless previously redeemed.

Detaining ani-  
mals.

SEC. 9. Any person other than the City Poundkeeper taking up an animal, under the provisions of this chapter, and retaining it more than twenty-four hours, shall, on conviction, be liable to pay a fine of not exceeding twenty-five dollars.

SEC. 10. Any person taking his own animal or that of any other person out of the custody of a person holding the same for damages done by it,



or out of the city pound, by stealth, or by force, or who shall interrupt or hinder any one while in the discharge of his duty, under the provisions of this chapter, shall be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment not to exceed one hundred days, or both fine and imprisonment.

Taking animals out of proper custody.

Penalty.

SEC. 11. Any person who shall maliciously or michievously secrete or impound the animal of another, or who shall maliciously or mischievously aid and abet therein, shall, on conviction, be liable to a fine in any sum not exceeding twenty-five dollars for each offense.

Maliciously secreting or impounding animals.

SEC. 12. The Poundkeeper's fees for impounding, registering and posting up notice shall not exceed one dollar per head for horses, mules or cattle, nor twenty-five cents for calves, goats, sheep and swine. Fees for feeding animals shall be governed by the price of forage in the city market at the time of feeding the same. Fees for advertising shall not exceed a reasonable compensation therefor. All said fees shall be retained by the Poundkeeper for his compensation and the payment of all costs that may have accrued.

Fees, etc., of Poundkeeper.

SEC. 13. It shall be the duty of the Poundkeeper to keep books, in which he shall keep an accurate account of all receipts and disbursements, and shall make a full and detailed report of his proceedings to the City Council quarterly, stating therein the number of animals impounded, the number of animals sold, to whom sold, and the amounts received therefor, the amounts received and paid for forage, advertising and sale; and he shall pay over to the City Treasurer all funds remaining in his hands belonging to the corporation.

Records; what to contain.

Funds to be paid to City Treasurer.

## CHAPTER XXVI.

## OF WASHINGTON MARKET.

1. Places set apart for market.
2. Weighmaster. Duties. Books. Certificates. Fees.
3. Loaded vehicles not to stand on streets to expose for sale.
4. Hay to be weighed at public scales. Fraud punished.
5. Private scales.
6. Deceit and fraud punished.
7. Coal to be weighed at public scales upon request.

SECTION 1. The west half of the public grounds known as Washington Square, situate and being in the First Municipal Ward of said city, is hereby designated as the Washington Market, for the sale of hay, straw, coal, wood, charcoal, lumber, posts, shingles and other articles sold by the load.

SEC. 2. It shall be the duty of the City Weighmaster to take charge of said market grounds, make such regulations therefor as he may deem necessary, and operate the city hay scales, and keep them in good order. He shall keep a suitable book with stubs, in which he shall enter the name of each person requiring his services, the kind of loading, the gross weight, and the weight of the empty vehicle, and shall deliver to the teamster a certificate showing the name of said teamster, the gross and net weights of his load and the kind of loading; *Provided*, That in no instance shall a certificate issue until the empty vehicle is first returned to said scales and weighed. And for such weighing, entries and certificate, the Weighmaster shall charge and receive a fee of not exceeding fifteen cents, from the person requiring such service.

SEC. 3. It is hereby declared unlawful to stand upon the public streets, lanes, alleys, or other public places of said city, any wagon, cart, sled, or other vehicle, loaded either with hay, straw, coal, wood, charcoal, lumber, posts, or shingles, for the purpose of exposing such article for sale, except at such place or places as are or may be designated by the City Council; and any person violating the provisions of this section shall, on conviction, be fined in any sum not exceeding ten dollars.

Loaded vehicles not to stand on streets to expose for sale.

SEC. 4. Each and every load of hay, straw, or coal offered for sale in said city shall be weighed at the public scales or at the scales of any licensed weigher, and sold to the purchaser thereof by weight, and the person disposing of such hay, straw or coal shall deliver to the purchaser a certificate from the weigher thereof, showing the gross and net weights of his load. Any vendor of hay, straw, or coal, within the meaning of this section, attempting to defraud the purchaser in weight or quality of the article sold, or refusing to comply with the requirements of this section, shall, on conviction, be fined in any sum not exceeding twenty-five dollars.

Hay to be weighed at public scales.

Fraud punished.

SEC. 5. Any person owning or operating private hay scales, within the limits of said city, for public use, and for which fees are charged, shall and is hereby required to pay a yearly license of \$12.00; shall be subject to the same requirements provided for in Section 2 of this chapter, and shall give bonds in the same amount and in the same manner as is required of the City Weighmaster. All vendors of hay, straw or coal, weighing at such scales, shall be subject to the same requirements and penalties provided for in Section 4 of this chapter.

Private Scales.

Deceit and  
fraud pun-  
ished.

SEC. 6. Any person who shall practice any deceit or fraud in the sale of wood or coal, by selling for a cord of wood less than one hundred and twenty-eight cubic feet of wood, or for a ton of coal less than two thousand pounds of coal, shall be liable to a fine in any sum not exceeding twenty-five dollars for each offense.

Coal to be  
weighed at  
public scales  
upon request.

SEC. 7. Any vendor of coal selling and delivering coal by his own weights, shall, when requested by the purchaser, weigh every load or part of a load of coal at any of the public scales, at the expense of the purchaser, and if there be any deficiency in weight, the party aggrieved may report the same to the City Marshal, giving the name of the seller and the amount deficient, and the Marshal shall cause legal proceedings to be taken against the offender. Any vendor or deliverer of coal refusing or neglecting to comply with the provisions of this section shall, on conviction, be fined in any sum not exceeding ten dollars for each offense.

## CHAPTER XXVII.

## OF LIBERTY PARK.

1. Mayor to control Park and appoint Keepers. Keepers given police powers.
2. When gates to be closed.
3. Drays, trucks, etc., not to travel upon drives.
4. Rate of speed. Racing prohibited.
5. Venting in Park prohibited.
6. Injuring property. Disturbance. Animals trespassing, etc. Firearms.
7. Rule in meeting vehicles.
8. Associations, etc., to get permit.
9. Penalty.

SECTION 1. The Mayor shall have the control and charge of Liberty Park, and shall have power to appoint one or more Park Keepers, whose duties shall be to have charge of the Park, under the Mayor's direction, and to see that the provisions of this chapter are carried into effect; and for that purpose they are hereby given police powers and authorized to arrest any person violating any of the provisions of this chapter.

SEC. 2. All the gates of Liberty Park shall be closed at nine o'clock each evening; and all travel on the roads of said Park, or other use of the grounds between nine o'clock P. M. and five o'clock A. M., shall be unlawful except by permission of the Mayor.

SEC. 3. No dray, truck, wagon, cart or other vehicle carrying, or if not carrying, employed regularly in carrying goods, merchandise, manure, soil or other article of commerce or trade, shall be allowed to travel upon the drives of said Park.

SEC. 4. All persons are hereby prohibited from riding or driving upon the roads within said

Mayor to control Park and appoint Keepers.

Keepers given police powers.

When gates to be closed.

Drays, trucks, etc., not to travel upon drives.

Rate of speed.

Racing prohibited.

Park at a rate of speed exceeding eight miles per hour, and it shall be unlawful for two or more persons to engage in racing with animals in said Park except by consent of the Keeper thereof.

Vending in Park prohibited.

SEC. 5. No person shall vend or sell, or offer to vend or sell any article or thing whatever within said Park without the consent of the City Council.

Injuring property.

SEC. 6. No person shall, within Liberty Park, cut, break, or in any way injure or deface any trees, shrubs, plants, buildings, fences or property of any kind; or indulge in noisy, boisterous, riotous, or indecent behavior, or use any boisterous or offensive language; or, except authorized by the Mayor: 1—Let loose any cattle, horses, goats, sheep or swine. 2—Drive a herd of said animals through the grounds. 3—Carry or discharge firearms. 4—Camp, lodge or tarry over night. 5—Ride or drive any horse or other animal, with or without vehicle, elsewhere than on the roads or drives for such purposes provided. 6—Catch or kill any birds or fish of any kind.

Disturbance.

Animals trespassing, etc.

Firearms.

Rule in meeting vehicles.

SEC. 7. All persons in riding or driving in said Park, when meeting other animals or vehicles, shall pass to the right.

Associations, etc., to get permit.

SEC. 8. When any company or association of persons exceeding fifty in number desire to resort to the Park for any lawful purpose, they, or one representing them, shall first get the permission of the Mayor.

Penalty.

SEC. 9. Any person violating any of the provisions of this chapter shall, upon conviction, be liable to a fine of not to exceed fifty dollars.

## CHAPTER XXVIII.

## OF SECOND HAND DEALERS AND PAWNBROKERS.

## SECOND HAND DEALERS.

1. Second hand dealers defined.
2. License required. Amount of license.
3. Receiving from minors prohibited.
4. Book; what to contain.
5. Penalty.

## PAWNBROKERS.

6. Pawnbroker to have good character.
7. Duties of pawnbrokers.
8. Book; what to contain.
9. Memorandum to be furnished.
10. Rate of interest.
11. Sales.
12. Publication.
13. Surplus.
14. Pawnbroker not to buy.
15. Not to receive from drunkard, etc.
16. Penalty.

SECTION 1. Any person who shall keep a store, office, or place of business for the purchase or sale of second hand clothing, or garments of any kind, or second hand goods, wares or merchandise, or engage in the business of dealing in second hand goods, is hereby defined to be a second hand dealer.

Second hand dealers defined.

SEC. 2. Every second hand dealer, before commencing or carrying on business as such, shall obtain a license and pay therefor at the rate of two per cent. per annum upon the value or amount of capital employed in such business; and at the time of making application for such license, he shall make a statement, under oath, before the Mayor or Recorder, of the value or amount of the capital so employed; and no license shall be issued for less than twenty-five dollars per annum.

License required.

Amount of License.

Receiving  
from minors  
prohibited.

SEC. 3. No second hand dealer shall, by himself, his agent or servants, purchase or receive any personal property of or from any minor under the age of sixteen years.

Book; what to  
contain.

SEC. 4. Every second hand dealer shall keep a book in which he shall enter at the time of purchase, in the English language:

First—A true and accurate description of every article purchased by him.

Second—The name, age and residence of the vendor.

Third—The amount paid.

Fourth—The date and hour of purchase.

The entries shall be made with ink in a legible manner. Such book shall always be open to the inspection of any regular Police officer of said city.

Penalty.

SEC. 5. Any person violating or failing to comply with any of the provisions of this chapter shall be liable to a fine in any sum not to exceed one hundred dollars or to imprisonment for a period of not to exceed six months, or both.

### *Pawnbrokers.*

Pawnbroker to  
have good  
character.

SEC. 6. All persons, before receiving license as pawnbrokers, shall produce, to the Mayor or City Council, satisfactory evidence of their good character to engage in or carry on such business.

Duties of  
Pawnbrokers.

SEC. 7. Every person so licensed shall, at the time of receiving such license, give a bond with two sureties, to the acceptance of the City Recorder, in the sum of one thousand dollars, conditioned for the due observance of all ordinances passed by the City Council, or in force respecting pawnbrokers, at any time during the continuance of such license; shall keep posted up



in his place of business a copy of all ordinances relating to pawnbrokers, and pay an annual tax upon his business of \$50.

SEC. 8. Every pawnbroker shall keep a book, in which shall be fairly written, in the English language, at the time of each loan, an accurate account and description of the goods, article or thing pawned, the amount of money loaned thereon, the time of the pledging of the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging the said goods, article or thing. The said book shall, at all reasonable times, be open to the inspection of the Marshal or any Policeman.

Book; what to contain.

SEC. 9. Every pawnbroker shall, at the time of each loan, deliver to the person pawning or pledging any goods, article or thing, a memorandum or note signed by him, containing the substance of the entry required to be made in his book by the last preceding section, and no charge shall be made or received by any pawnbroker for any such entry, memorandum or note.

Memorandum to be furnished.

SEC. 10. No pawnbroker shall ask, demand or receive any greater rate of interest than forty per cent. per annum, upon any loan not exceeding the sum of twenty-five dollars, or than twenty-four per cent. per annum upon any loan exceeding the sum of twenty-five dollars.

Rate of interest.

SEC. 11. No pawnbroker shall sell any pawn or pledge until the same shall have remained one year in his possession, and all such sales shall be at public auction, and not otherwise, and shall be made or conducted by such auctioneer as shall be approved of for that purpose by the Mayor.

Sales.

SEC. 12. Notice of every such sale shall be published for at least ten consecutive days previous thereto, in one or more of the daily news-

Publication.

papers having general circulation in Salt Lake City; and such notice shall specify the time and place at which such sale is to take place, the name of the auctioneer by whom the sale is to be conducted, and a description of the goods or articles to be sold.

Surplus.

SEC. 13. The surplus money, if any, arising from such sale, after deducting the amount of the loan and the interest then due on the same and costs of sale, shall be paid over by the pawnbroker to the person who would be entitled to redeem the pledge in case no such sale had taken place.

Pawnbroker not to buy.

SEC. 14. No pawnbroker shall, under any pretense whatever, purchase or buy any second hand furniture, metal or clothes, or any other article, or thing whatever, offered to him as a pawn or pledge.

Not to receive from drunkard, etc.

SEC. 15. No pawnbroker shall receive any goods, article or thing, in pawn or pledge, of a person who is intoxicated, and known to be a habitual drunkard, a thief or an insane person; or on being notified in writing by any responsible person of the character, habits or condition of such person or persons; nor shall said pawnbroker receive a pawn or pledge from any person under sixteen years of age.

Penalty.

SEC. 16. Any person who shall violate, or neglect, or refuse to comply with, any of the foregoing provisions shall, for every such offense, upon conviction, be liable to a fine of not to exceed one hundred dollars.

## CHAPTER XXIX.

## OF PASSENGER VEHICLES AND HOTEL RUNNERS.

1. Hackmen, hotel runners, etc., to procure license.
2. Hack stands.
3. Hackmen, etc., not to leave vehicle at depots.
4. Fraud prohibited.
5. Shall keep off cars, passages, etc.; proviso.
6. Disorderly conduct, etc.
7. Must keep on stands.
8. Speed regulated.
9. Numbers.
10. Lighted lamps at night.
11. Rates of fare.
12. Rule when not specified by the hour.
13. Baggage.
14. Rates, etc., to be posted in vehicle. Penalty.
15. Penalty for demanding greater fare.
16. May demand fare in advance.
17. Refusing to convey passenger.
18. Shall give number, etc., upon request.
19. False representations, etc.
20. Penalty.

SECTION 1. It shall be unlawful for any person to engage in the business of hotel runner, or run, keep or use for hire, for the carrying or conveying of persons, any public hackney coach, cab, omnibus, express wagon, carriage, wagonette, or any public passenger vehicle of any description or name whatsoever, using the streets of Salt Lake City for trade or traffic, without a license first had and obtained so to do.

Hackmen,  
hotel runners,  
etc., to procure  
license.

SEC. 2. The following localities are hereby established as stands for public vehicles:

Hack stands.

First.—On the west side of First East Street, between South Temple and First South streets.

Second.—On the north side of Second South Street, two rods west of East Temple Street.

Third.—On the west side of Third West Street, twenty feet north of South Temple Street,

and on the north side of South Temple Street, twenty feet west of Third West Street.

Fourth.—On the north and south sides of First South Street, one rod east of Fourth West Street.

Fifth.—On the west side of Fifth West Street, commencing on Second South Street, and ending twenty rods south thereof.

Sixth.—The centre of Second South Street, between East Temple and First East streets.

Seventh.—After ten o'clock P. M., any street in the city except immediately in front of theatres.

Hackmen,  
etc., not to  
leave vehicle  
at depots.

SEC. 3. No person following the employment of hackman, cabman, omnibus driver, coach driver or driver of any passenger vehicle, or soliciting patronage for any such vehicle, shall, while actually engaged in his employment as such at any railroad depot, leave his hack, omnibus, coach, or express wagon, or other vehicle, but shall remain within six feet of said coach, hack, omnibus, express wagon or other vehicle, except it be to secure, when requested, the baggage of his passengers.

Fraud pro-  
hibited.

SEC. 4. No runner, hackman, omnibus driver, expressman, porter, cabman, or person carrying passengers, or soliciting for passenger vehicles, shall induce or attempt to induce any person to employ him to convey such person, by either knowingly or wantonly misinforming or misleading such person as to the time or place of the arrival or departure of any railroad train, or other conveyance, or the location of any railroad depot, office, station or ticket office, or the location of any hotel, stage office, public place, or private residence within said city, nor shall he practice any deceit, fraud or misrepresentation in

any manner whatever relative to matters pertaining to his business.

SEC. 5. No person following the employment of runner, hackman, omnibus driver, expressman, porter or driver of any passenger vehicle, shall enter into or upon any railroad car, or depot, or upon any passage or landing leading thereto, while actually engaged in his employment as such; *Provided, however,* That nothing herein shall prevent the persons herein named from entering in and upon any railroad car, depot, or passage leading thereto for the purpose of getting the baggage of any passenger arriving at or departing from the city, after having first obtained and exhibited to any Policeman or person in charge of such railroad car, depot, passage, or landing, the check or checks of such passenger for his baggage.

Shall keep off cars, passages, etc.

Proviso.

SEC. 6. No runner, hackman, omnibus driver, expressman, porter, or driver of any passenger vehicle shall, at any time or place when waiting for or engaged in his employment, obstruct any street or sidewalk, make any unusual noise or disturbance, unnecessarily snap or flourish his whip, use any indecent, profane or obscene language, or be guilty of boisterous or loud talking, or any disorderly conduct, or use any language or be guilty of any conduct calculated to disturb the public peace or good order of the city, or harass, vex, annoy or disturb any person there being or passing.

Disorderly conduct, etc.

SEC. 7. It shall not be lawful for any licensed vehicle, when not actually employed, to be kept standing in any other part of the public highways of the city than those designated and set apart as stands for public vehicles, nor in front of any hotel, place of public business, or

Must keep on stands.

private residence, without the express permission of the owners or occupants thereof.

Speed regulated.

SEC. 8. It shall not be lawful for any carriage, hackney coach, cab, or any other passenger vehicle to be driven through any of the streets of Salt Lake City, at a greater rate of speed than six miles an hour, nor around the corner of any of the streets of said city at a gait that will endanger pedestrians, and all vehicles, when passing through or along any of the streets of said city shall, when meeting other vehicles, be driven to the right hand side of the way so that said vehicles shall pass clear of each other.

Numbers.

SEC. 9. All public passenger vehicles, licensed under this ordinance, shall be numbered with plain figures painted thereon, not less than one and one-half inches long, which shall always be kept conspicuously in view; said numbers shall be furnished by the City Recorder at the time of issuing the license. Every hotel runner, while engaged in his employment, shall wear an appropriate badge with the name of the hotel represented by him inscribed thereon.

Lighted lamps at night.

SEC. 10. Every public vehicle for conveyance of passengers, when driven or used in the night time, shall have fixed upon some conspicuous part of the outside thereof two lighted lamps with plain glass sides, and have the number of such vehicle in plain legible figures upon each of the outer sides of said lamps, in such a manner that the same may be distinctly seen, and every such vehicle which has a door or doors to the same shall have a knob or handle upon the inside of each door by which said door may be easily opened from the inside thereof.

Rates of fare.

SEC. 11. The maximum prices or rates of fare to be asked or demanded by any owner or

driver of any vehicle for the carriage of passengers shall be as follows: Same.

First.—For conveying every passenger from one depot to another, fifty cents.

Second.—For conveying one passenger not exceeding one mile, fifty cents.

Third.—Each additional mile or part of mile, twenty-five cents.

Fourth.—For conveying children between five and fourteen years of age, not to exceed half the above price may be charged for like distances, but for children under five years of age no charge shall be made.

Fifth.—For use of any hack, coach or other vehicle drawn by two horses, by the day, with one or more passengers, eight dollars.

Sixth.—For the use of any such carriage or vehicle, by the hour, with one or more passengers, with the privilege of going from place to place, and stopping as often as may be required, two dollars for the first hour, and for each additional hour or part of hour, one dollar.

Seventh.—For the use of any hack, cab or other vehicle, drawn by one horse or other animal, by the hour, for the first hour, one dollar; each additional hour or part thereof, seventy-five cents; by the day, five dollars.

SEC. 12. In all cases when the hiring of a hack, coach, or other public vehicle for the conveyance of passengers is not at the time of the hiring specified to be by the hour, it shall be deemed to be by the mile; and for any detention exceeding fifteen minutes, when so working by the mile, the owner or driver may demand at the rate of one dollar per hour. Rule when not specified by the hour.

SEC. 13. Every passenger shall be allowed to have conveyed upon such vehicle, without Baggage.

charge, his ordinary traveling baggage, including a trunk not to exceed one hundred and fifty pounds in weight. For each and every additional fifty pounds or less of baggage, if conveyed to any place within the city limits, the owner of such vehicle shall be permitted to charge twenty-five cents.

Rates, etc., to be posted in vehicle.

SEC. 14. There shall be fixed in every licensed vehicle for the conveyance of passengers for hire, in such manner as can be conveniently read by any person riding in the same, a card with the name of the owner of such vehicle, the number of his license written or printed thereon, and the rates fixed by this chapter, and for failure so to do the owner of such vehicle shall be liable to a fine of not to exceed twenty-five dollars and revocation of license. Such card to be printed by the city, in suitable form, and furnished to the drivers of such vehicles, free of charge, and any person or persons mutilating, tearing down, or destroying the card herein provided for, shall be fined not to exceed twenty-five dollars.

Penalty.

Penalty for demanding greater fare.

SEC. 15. The owner or driver of any coach or cab, carriage or hack, for the conveyance of passengers, who may have demanded and received any fare in excess of what is provided for in this chapter shall be liable to a fine in any sum not to exceed one hundred dollars for each and every offense.

May demand fare in advance.

SEC. 16. Every licensed owner or driver of any hack, coach or other vehicle for the carriage of passengers, shall have the right to demand the fare of the person or persons employing him, on entering his vehicle, and may refuse to convey any person who shall not comply with said demand.



SEC. 17. No owner or driver of any hackney coach, hack, cab, carriage or other public passenger vehicle, shall, when not otherwise engaged or occupied in the performance of his duties, as a licensee under the provisions of this chapter, refuse to convey in said city any person, with or without baggage, when applied to for that purpose, the proper fee therefor being tendered, or, having undertaken to convey such person, shall omit or neglect to do so, under a penalty of not to exceed one hundred dollars for each offense.

Refusing to convey passenger.

SEC. 18. Every owner or driver of any hack, coach, cab, or other public vehicle, for the carriage of passengers, shall, upon being requested to do so, give to any person or persons the number of his coach, carriage, hack or other vehicle, and the name of the owner or driver thereof.

Shall give number, etc, upon request.

SEC. 19. It shall be unlawful for any such licensed owner or driver to induce any person to ride in or employ his vehicle by falsely representing his vehicle to such person as running for, or being employed by any public house, railway or stage company, with a view to exact, solicit, or obtain fare, or anything of value from such person, for conveying him to such public house, or railway, or other place, under penalty of a fine not to exceed one hundred dollars for each offense.

False representations, etc.

SEC. 20. Any person violating any of the provisions of this chapter, where no other penalty is prescribed, shall be liable to a fine in any sum not to exceed one hundred dollars.

Penalty.

## CHAPTER XXX.

## OF RAILROADS.

1. To repair ditches, crossings, streets, etc.
2. Further regulations as to crossing streets. Shall conform to established grade.
3. Obstructions, and their remedy or removal.
4. Crossing other tracks.
5. Speed. Precedence in crossing other tracks.
6. Rights reserved to city.

To repair  
ditches, cross-  
ings, streets,  
etc.

SECTION 1. All companies constructing railroads within the limits of said city shall be subject to the following regulations: The grantees of all railroads shall, at their own expense, construct and keep in good repair all water sects, sewers, drains, street crossings, or receiving basins, and all fixtures connected therewith, and with the distribution of water in said city which may be affected thereby. The construction, alterations and repairs to be done under the direction of the City Watermaster, subject to the approval of the City Council.

Further obli-  
gations as to  
crossing  
streets, etc.

SEC. 2. It shall especially be incumbent on all railroad companies, at their own expense, to construct arches and bridges for all the cross streets, now or hereafter to be made, which will be intersected by the embankments or excavations of their railroads, and also to make such embankments or excavations as, in the opinion of the City Council, may be required to make the passage over the railroad and embankments easy and convenient for all the purposes for which streets are usually used; and also all such drains and sewers as their embankments and excavations may make necessary. And, further, the said companies

shall make their railroad tracks conform to what is or may hereafter be the regulation or grade of the street or place through which their railroads pass; and no company shall have the right to take up, remove, carry away, or cause, or permit to be taken up, removed or carried away, any rock, gravel, earth, or other material from any street or public place, for making embankments, grades, or for any other purpose, except by permission of the City Council, and under the direction of the Street Supervisor.

Shall conform to established grade.

SEC. 3. If, at any time after the commencement of the construction of any railroad, it shall appear to the City Council that any part thereof shall constitute an obstruction or impediment to the ordinary use of any street or place, or be operated contrary to the regulations of the city, the said railroad company, or the officers thereof, shall, on the requisition of the City Council, forthwith provide a remedy for the same, satisfactory to said Council; or, if they fail to find such remedy, they shall, within one month after such requisition, proceed to remove such railroad obstruction or impediment, and to replace the street or place in as good condition as it was before the said railroad was laid down; and should the said company or officers neglect or refuse to obey such requisition, the City Council may, upon the expiration of the time limited in such notice, cause the obstruction or impediment to be removed, and the street or place restored, as aforesaid, at the expense of the said railroad company.

Obstructions and their remedy or removal.

SEC. 4. Nothing in any ordinance or resolution granting right of way, or franchise for railroad, shall be construed to prohibit any other railroad company from crossing any railroad track already laid, and when any railroad shall

Crossing other tracks.

intersect any other railroad, the rails of each shall be so cut or altered as to permit the cars to pass without obstruction; and any person wilfully obstructing any railroad herein provided for, shall, on conviction thereof, be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment not exceeding six months, or to both such fine and imprisonment.

Speed.

SEC. 5. The tracks of all railroads shall be laid in the centre of the streets, unless otherwise directed by the City Council, and all locomotives, cars and trains are hereby prohibited from running at a greater speed than eight miles per hour within the limits of this city; and the bells on locomotives in motion shall in all cases be rung continuously in the inhabited portions of the city, and all locomotives, cars and trains are required to come to a full stop before crossing any other line of railroad, and at a distance of not less than forty feet therefrom; and when two trains arrive at the same crossing simultaneously, the train on the first constructed track shall have precedence in crossing, and no train, engine, or cars shall be allowed to stand in the streets or upon the sidewalks or crossing to obstruct the ordinary travel thereon. Any violation of the provisions of this section shall render the offender liable to a fine in any sum not exceeding one hundred dollars, or imprisonment not exceeding six months, or to both such fine and imprisonment.

Precedence in crossing other tracks.

Rights reserved to city.

SEC. 6. The right of regulating the description of power to be used in the city in propelling cars on and along railroads, and the speed of the same, together with the price of the license or tax to be paid therefor, shall not, by virtue of any grant or contract, be construed to mean that such

right passes to the grantee; but such rights, together with all other powers vested in said Council for the regulating, controlling or removing of railroads within said city, are expressly retained and reserved.

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## CHAPTER XXXI.

### OF TELEGRAPH, TELEPHONE AND ELECTRIC LIGHT LINES.

1. Company erecting shall give bond.
2. Supervisor shall direct construction.
3. Height and size of poles.
4. Same. As to electric light poles. Opposite sides of street, etc.
5. Regulations concerning electric light wires crossing other wires. Contact therewith forbidden.
6. Not to exceed one hundred wires upon poles. Poles shall be peeled and painted. Relative position as to gas and water mains.
7. Reservation of right for city purposes.
8. Penalties.

SECTION 1. Before any person, co-partnership or company shall erect, or after the 30th day of June, 1888, maintain, any telegraph, telephone or electric light poles or lines within the corporate limits of Salt Lake City, he or they shall enter into a bond to the city in the sum of twenty-five thousand dollars to keep said city indemnified for or on account of any and all damages that may be caused by reason of the erection, management or use of such telegraph, telephone or electric light poles or lines in said city.

SEC. 2. Any person, co-partnership or company who shall erect any telegraph, telephone or electric light lines in Salt Lake City, shall con-

Company  
erecting shall  
give bond.

Supervisor  
shall direct  
construction.

struct the same under the direction of the Street Supervisor, and in such manner and place as the City Council may, by ordinance or resolution, prescribe.

Height and size of poles.

SEC. 3. Any person, co-partnership or company who shall erect or place in position for telegraph or telephone purposes, any pole or poles, shall have the same of a height sufficient so that the lowest wire shall be at least thirty feet from the ground, and no pole for either of the above purposes shall be less than six inches in diameter at the top.

Same as to electric light poles.

SEC. 4. Any person, co-partnership or company who shall erect or place in position for electric light purposes any pole or poles, shall have the same so that the lowest wire shall be at least twenty-five feet from the ground, and no pole for this purpose shall be less than six inches in diameter at the top; and, so far as practicable, said electric light line shall be erected on the opposite side of any street or alley to that which is occupied by the wires of a telegraph or telephone line;

Opposite sides of street, etc.

*Provided*, That in any case where any street may be occupied on one side by telephone wires and upon the other side by telegraph wires, and it is desired to erect electric light wires along the same street, such electric light wires shall be placed under the telegraph wires and not under the telephone wires.

Regulations concerning electric light wires crossing other wires.

SEC. 5. Whenever it is necessary for an electric light wire to approach or cross the line of any alarm and police telegraph, telegraph or telephone line, the same shall not approach to or cross at a distance of less than five feet either above or below said fire alarm and police telegraph, telegraph or telephone wire, and shall be securely fastened on supports placed as near as practicable to said

fire alarm and police telegraph, telegraph or telephone lines, or shall be carried in troughs or boxes across the route of said fire alarm and police telegraph, telegraph or telephone lines, so constructed and placed as to prevent the electric light and telegraph, or telephone lines, coming in direct contact in case either should break or become detached from fixtures.

Contact there-  
with for-  
bidden.

No wires used as conductors for electric lighting purposes shall be so erected or placed as to interfere, by contact, induction or otherwise, with the successful operation of any fire alarm and police telegraph, telegraph or telephone wire, circuit or instrument. Whenever any such wire, used as a conductor for electric lighting purposes, shall be so erected, placed or maintained as to violate any of the provisions of this chapter, or so as to interfere, by contact, induction or otherwise, with the successful operation of any fire alarm and police telegraph, telegraph or telephone line, circuit or instrument, any proper city authority, and any corporation or person owning or entitled to the use of any such fire alarm and police telegraph, telegraph and telephone wire, circuit or instrument, may serve upon the person, company or corporation, or the managing agent or officer thereof, operating any such wires used for electric lighting purposes, a written notice stating the manner and place where such wires are so erected, placed or maintained, and upon receipt of such notice it shall be the duty of such person, company, corporation, agent or officer so served, to remove all such wires specified in such notice which are erected, placed or maintained in violation of any of the provisions of this chapter.

Not to exceed  
one hundred  
wires upon  
poles.

Poles shall be  
peeled and  
painted.

Relative po-  
sition as to gas  
and water  
mains.

Reservation of  
right for city  
purposes.

Penalties.

SEC. 6. No person, co-partnership or company, who shall erect or maintain telephone, telegraph or other poles in the streets of said city, shall string to exceed one hundred separate wires upon the same. All poles erected for the purposes set forth in this chapter shall have the bark peeled from the same and be neatly trimmed of knots, and otherwise present a neat appearance, and within the fire limits shall be painted black ten feet from the surface of the ground and the remainder white, and they shall not be erected or set nearer than six feet to any gas or water main, or service pipe; nor shall they vary more than six inches from a perpendicular position.

SEC. 7. In case the corporation of Salt Lake City desire at any time to put in operation any fire alarm or police telegraph system, it reserves to itself the right to use the top of, or a space near the top of, any and all telegraph and telephone poles, free of expense, for the purpose of attaching wires thereto for the purpose of use in said fire alarm or police telegraph, and the granting of any franchise to any person, co-partnership or company to erect poles for any of the purposes indicated in this chapter shall be with the above reservation of privilege or right.

SEC. 8. Any person, co-partnership or company not having the right and authority to do so, who shall wilfully or negligently injure, pull down, break or deface any telegraph, telephone or electric light pole or wire, or who shall violate or fail to comply with any provision or requirement of the foregoing sections of this chapter, shall, upon conviction thereof, be fined not less than five dollars nor more than one hundred dollars.



## CHAPTER XXXII.

## OF NUISANCES.

1. Privy, vault, cesspool, etc.
2. Slaughter house, market, etc.
3. Swine within fire limits.
4. Unclean drain or receptacle of garbage.
5. Vegetable waste.
6. Stable, etc., where manure accumulates.
7. Dirt, waste, rags, casks, etc.
8. Bone crushing, fat boiling, glue and fertilizer factories.
9. Soap or oil factory, laundry, etc.
10. Offensive liquid or refuse.
11. Brewery, tannery, barn, etc.
12. Dead animals.
13. Unsound food or other offensive matter.
14. Putrid fat, waste paper, old clothes, etc.
15. Whatsoever is detrimental to health.
16. Police to take notice of nuisances and report to Marshal.
17. All foregoing nuisances prohibited. Duty of Marshal in abating same.
18. Penalties against authors and keepers of nuisances.
19. Explanation of term "author of nuisance."
20. Marshal may serve written notice requiring abatement.
21. Marshal or deputies may enter buildings, cellars, lots, etc., and make examination.

SECTION 1. Every privy, privy vault, com-  
mode, cesspool, or water closet, or any other re-  
ceptacle whatsoever of human excrement within  
the limits of Salt Lake City, which shall be found  
in an overflowing, full, filthy, insecure or defec-  
tive condition, or in any other state or condition  
which is dangerous or detrimental to the public  
health, shall be deemed a nuisance.

SEC. 2. If any owner or occupier of any  
slaughter house, market, meat shop, or other  
place wherein any swine, beeves, sheep, fowls or  
other animals are slaughtered, kept or sold, either  
in said slaughter house, or on the premises of  
said owner or occupier, shall permit the same to  
remain unclean, to the unnecessary annoyance of

Privy, vault,  
cesspool, etc.

Slaughter  
house, market,  
etc.

the citizens of this city, or any of them, or in any state or condition detrimental to the public health, the same shall be deemed a nuisance.

Swine within  
fire limits.

SEC. 3. It shall be unlawful for any person to keep, or cause to be kept, any swine within that part of the city established as the fire limits, and all swine kept within such limits, and the pens in which they are kept, shall be deemed nuisances.

Unclean drain  
or receptacle  
of garbage.

SEC. 4. If any person causes or permits within the limits of this city any unclean, stinking, foul, defective or filthy drain, ditch, tank or gutter, or any leaking or broken slop, garbage or manure box, or receptacle of similar character, to remain on his premises, the same shall be deemed a nuisance.

Vegetable  
waste.

SEC. 5. All vegetable waste, litter, garbage, filth or refuse of any nature, kind or description which shall be detrimental to the public health, found in or upon any private alley, yard or area within the limits of this city, except the same is temporarily deposited for removal, shall be deemed a nuisance.

Stable, etc.,  
where manure  
accumulates.

SEC. 6. Whenever any stable, stall, shed or apartment, or any yard or appurtenance thereof, in which any horse, cow or swine, or other animal shall be kept, or in any place within the limits of this city in which manure or liquid discharges of such animals shall collect or accumulate, and when such stable, stall, shed or apartment, or any yard or appurtenance thereof, is not kept in a cleanly and wholesome condition, so that no offensive smell shall be allowed to escape therefrom, the same shall be deemed a nuisance; *Provided*, That nothing in this section shall be so construed as to include manure deposits upon any private property for the purpose of cultiva-

ting the same, and the same is kept in an innocuous condition.

SEC. 7. Whenever there shall be found in or upon any lot or piece of ground within the limits of this city, any dirt gathered in cleaning yards, waste of mills or factories, or any rags, damaged merchandise, wet, broken or leaking barrels, casks or boxes, or any materials which are offensive or tend to decay, to become putrid, or to render the atmosphere impure or unwholesome, the same shall be deemed a nuisance.

Dirt, waste, rags, casks, etc.

SEC. 8. The business or any part thereof, or any or every of them, of bone crushing, bone boiling, fat boiling, gut cleaning, or the making of glue, or the manufacture of fertilizing material from any dead animal, or part thereof, or any boiling of offal, swill, fat or grease, which shall be done or carried on in an offensive, unclean or defective manner in any building, yard or lot of ground within the limits of this city, shall be deemed a nuisance.

Bone crushing, fat boiling, glue and fertilizer factories.

SEC. 9. If any owner or occupier of any soap factory, candle factory, oil factory, glue factory, pork house, slaughter house, lard house or laundry, shall permit the same to remain unclean, or conduct his business to the annoyance of the citizens of this city, or any of them, the same shall be deemed a nuisance.

Soap or oil factory, laundry, etc.

SEC. 10. Wherever from any distillery, brewery, tannery, hide house, pork house, laundry, fish house, soap factory, or any yard, dwelling, store or factory, or any yard or enclosure, of any kind whatsoever, within the limits of this city, there is placed, conducted or discharged into or on any street, alley, sidewalk, gutter, water ditch or canal, or any vacant lot, any filthy or offensive water, liquid waste, refuse or discharge of

Offensive liquid or refuse.

any kind which is offensive or liable to become so, the same shall be deemed a nuisance.

Brewery, tannery, barn, etc.

SEC. 11. Every brewery, distillery, tannery, livery stable or barn, laundry or factory of any kind, place or premises, which is or shall become noisome, foul or offensive, shall be deemed a nuisance.

Dead animals.

SEC. 12. Any horse, cow, ox, dog, cat, or other animal, that shall die within the limits of this city, and the carcass of which shall not be removed within three hours after the death to the burial ground used by the city for the burial of such dead animals, shall be deemed a nuisance.

Unsound food or other offensive matter.

SEC. 13. Any putrid or unsound meat, fish, hides or skins of any kind, or filth, offal, dead animals, vegetables, or any unsound or offensive matter whatsoever, thrown, placed or conducted into or upon any street, alley or lot, or into any aqueduct, ditch, gutter or canal, shall be deemed a nuisance.

Putrid fat, waste paper, old clothes, etc.

SEC. 14. Any stale, putrid or noisome fat, grease or other offensive matter, which shall be kept, collected or used in any manner detrimental to the public health, and any wrapping paper, waste paper, hand bills, old clothes, boots, shoes, hats, tin cans, broken dishes, or any combustible material, or any rubbish whatsoever, thrown into or upon any street, alley, sidewalk, gutter, ditch, aqueduct or canal, or vacant lot, shall be deemed a nuisance.

Whatever is detrimental to health.

SEC. 15. Every act or thing done or made, permitted, allowed or continued on any property, public or private, by any person or corporation, their agents or servants, detrimental to health, or to the damage or injury of any of the inhabitants of this city, not hereinbefore specified, shall be deemed a nuisance.

SEC. 16. It shall be the duty of all Police officers to observe the sanitary conditions of this city, and report to the City Marshal promptly any nuisance or accumulated filth, or any condition detrimental to the public health, found in any portion of the city.

Police to take notice of nuisances and report to Marshal.

SEC. 17. Every nuisance hereinbefore mentioned, declared or defined, is hereby prohibited, and in case of neglect or refusal of any person to comply with the provisions of this chapter, after notice in writing has been served as provided by Section 20 hereof, it is hereby made the duty of the City Marshal to abate or procure the abatement thereof by filling up, draining, cleaning, purifying or removing the same, as the case may be, and the costs shall be collected from the authors thereof.

All foregoing nuisances prohibited; duty of Marshal in abating same.

SEC. 18. Any person or persons who shall be convicted of being the author or keeper of a nuisance, or otherwise guilty of a violation of any provision of this chapter, shall be fined for the first offense not less than ten dollars nor more than one hundred dollars, and for the second offense not less than twenty-five dollars nor more than one hundred dollars, and for the third and all subsequent offenses not less than fifty dollars nor more than one hundred dollars.

Penalties against authors and keepers of nuisances.

SEC. 19. Where a nuisance exists upon property and is the outgrowth of the usual, natural or necessary use of the property, the owner thereof, or his agent, shall be deemed the author thereof; but where any such nuisance shall arise from the unusual or unnecessary use to which such property may be put, or from business thereon conducted, then the occupant shall be deemed the author thereof.

Explanation of term "author of nuisance."

Marshal may  
serve written  
notice requir-  
ing abatement.

SEC. 20. In order to better carry out the provisions of this chapter the City Marshal may serve a notice in writing upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or upon him who may be the cause of such nuisance, requiring him to abate the same in such manner as the City Marshal may direct, and within a reasonable time; and if such owner, occupant or agent shall neglect or refuse to comply with the requirements of such notice within the time specified, he shall, upon conviction thereof, be fined in any sum not less than ten dollars nor more than one hundred dollars. The failure to give a notice as provided herein shall not relieve the author of any nuisance of the penalties provided in this chapter.

Marshal or  
deputies may  
enter build-  
ings, cellars,  
lots, etc., and  
make examin-  
ation.

SEC. 21. It shall be the duty of the City Marshal to ascertain and cause all nuisances declared to be such in this chapter to be abated, and he shall have authority, either by himself, or by his agents or deputies, in the day time, to enter any house, stable, store, or any building, in order to make a thorough examination of cellars, vaults, sinks or drains; to enter upon all lots and grounds and cause all stagnant waters to be drained off, and pools, sinks, vaults, drains, holes or low grounds to be cleansed, filled up or otherwise purified, and to cause all noisome substances to be abated or removed.

## CHAPTER XXXIII.

## OF PUBLIC OFFENSES.

1. Assault and battery.
2. Abusive language, etc.
3. Disturbance of the peace.
4. Riot defined. Penalties. Proclamation.
5. Assistance in suppressing riots.
6. Exciting disturbance at public house, election, etc.
7. Disturbing public assembly.
8. Drunkenness.
9. Interfering, etc., with officer in the exercise of official duties.
10. Escape of prisoners.
11. Abetting and aiding an escape.
12. Defacing or destroying property, etc.
13. Cruelty to animals.
14. Killing or disfiguring horses or domestic animals.
15. Falsely personating an officer.
16. Lottery enterprises. Fraudulent devices, etc.
17. Obtaining property under false pretenses. Refreshments.
18. Petit larceny.
19. Posting bills, etc., without permission.
20. Defacing bills lawfully posted.
21. Selling unwholesome food, etc.
22. Feeding swine upon unwholesome food, etc.
23. Fowls at large.
24. Sabbath breaking.
25. Profanity.
26. Exhibiting obscene literature, etc. Indecent exposure, dress,  
language, exhibition, etc. Penalty.
27. Dangerous weapon.
28. Bathing in waters in city limits.
29. Prostitute advertising vocation.
30. Employing females in saloon, etc.
31. Disorderly house.
32. Dance houses, etc.
33. House of ill fame. Residing in and resorting thereto. Renting  
houses for such purposes.
34. Defenses.
35. Opium dens.
36. Keeping gambling houses, etc.
37. Gambling.
38. Vagrants; who are. Penalty.
39. Barbed wire fences.
40. Bicycles, etc.
41. Fighting.
42. Reckless driving.
43. Enticing minors from guardian, etc.
44. Discharging guns.
45. Firearms.
46. Breastwork defined.

47. Driving sheep-herds through streets.
48. Delivering articles to prisoners.
49. Trespass, etc.
50. Commitment until fine paid.

Assault and  
Battery.

SECTION 1. Any person who shall hereafter commit an assault or battery within the limits of said city, shall, upon conviction, be fined in any sum not to exceed one hundred dollars, or be imprisoned in the city jail for a period of not to exceed one hundred days, or both.

Abusive lan-  
guage, et .

SEC. 2. If any person shall abuse another by using menacing, insulting, slanderous or profane language in said city, he shall be liable to a fine in any sum not exceeding fifty dollars, or to imprisonment not exceeding thirty days, or to both fine and imprisonment.

Disturbance of  
the peace.

SEC. 3. If any person shall commit a disturbance of the peace, within the limits of said city, by brawling or noisy acclamations, by tumultuous or offensive language or conduct, by ringing of bells, blowing of horns or making other noises, he shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Riot defined.

SEC. 4. When three or more persons assemble together, and in a violent and tumultuous manner, commit an unlawful act, or do a lawful act in an unlawful, violent or tumultuous manner, to the disturbance of the peace, within the limits of said city, it shall be deemed a riot, and every such offender shall be liable to imprisonment not exceeding six months, or to a fine not exceeding one hundred dollars, or to both fine and imprisonment; and the Mayor or any Alderman is hereby authorized to make

Penalties.



proclamation among the persons so assembled, or as near to them as he can safely come, charging and commanding them in the name of said city, to immediately disperse and peacefully depart to their habitations or lawful pursuits; and if, upon such proclamation being made, such persons shall not obey the same, said Mayor or Alderman may command the Marshal, the Police, and the full power of the city to arrest the offenders, and bring them before him, to be dealt with according to the provisions of this section.

Proclamation.

SEC. 5. Any person neglecting or refusing to give prompt assistance after the making of the aforesaid proclamation, and a call for his services having been made to secure any offenders mentioned in the preceding section, shall be liable to imprisonment not exceeding thirty days or to a fine not exceeding one hundred dollars, or to both fine and imprisonment.

Assistance in suppressing riots.

SEC. 6. If any person shall excite disturbance or contention at a public house, court, election, or any lawful meeting of citizens within the limits of said city, he shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Exciting disturbance at public house, election, etc.

SEC. 7. Any person who shall disturb a public assembly, congregated for religious or other lawful purposes, within the limits of said city, by undue noise, or by offensive, unbecoming or indecent behavior, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Disturbing public assembly.

SEC. 8. Any person found drunk in any street, lane, alley or other public place in said city, shall be liable to a fine not exceeding fifty

Drunkness.

dollars for each offense; and any person found drunk elsewhere in said city, on complaint being made to any peace officer, shall be liable to arrest and punishment by fine not exceeding twenty-five dollars.

Interfering,  
etc., with offi-  
cers in the ex-  
ercise of offi-  
cial duties.

SEC. 9. Any person who shall interfere with, resist, molest, or threaten to molest, any officer of said city in the exercise of his official duties, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not more than three months, or to both fine and imprisonment.

Escape of  
prisoners.

SEC. 10. Any person convicted of any offense against the ordinances of the city, and in lawful custody therefor, who shall escape from such custody, shall be liable to be punished by fine or imprisonment not exceeding the original punishment.

Abetting and  
aiding an es-  
cape.

SEC. 11. Any person within the limits of this city, who shall aid or assist a person to escape from lawful confinement, or who shall aid or assist another to escape from any peace officer of said city, shall, on conviction, be liable to a fine of not less than five, nor more than one hundred dollars, or to imprisonment not to exceed three months, or to both fine and imprisonment for each offense.

Defacing or  
destroying  
property, etc.

SEC. 12. Any person who shall wilfully injure, deface or destroy any building or fixture thereof, or injure, destroy or secrete any goods, chattels, or valuable papers of another, or prepare any deadfall, or dig any pit, or arrange any trap to injure another's person or property, or take down, injure or remove any monument, or any tree marked as a boundary of any tract of land, or city lot, or destroy, deface or alter the marks of any monument, or injure or destroy any fence,

or fountain, or any shade or fruit tree, or any other kind of public or private property, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not to exceed three months, or to both fine and imprisonment.

SEC. 13. Any person who shall torture or cruelly beat or ill treat any horse, ox or other animal, within the limits of said city, whether belonging to himself or any other person, shall be liable to a fine in any sum not exceeding fifty dollars, or imprisonment not exceeding three months, or to both fine and imprisonment.

Cruelty to animals.

SEC. 14. Any person who shall wilfully kill, maim or disfigure any horse, or other domestic animal, the property of another, or administer poison to any such animal, or expose any poisonous substance with the intent that it shall be taken by any such animal, shall be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment for a term not exceeding three months, or to both fine and imprisonment.

Killing or disfiguring horses or domestic animals.

SEC. 15. Any person who shall falsely represent himself to be an officer of Salt Lake City, or attempt to personate one, or who, without authority, shall perform any official act for or in behalf of any such officer, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Falsely personating an officer.

SEC. 16. It shall be unlawful for any person within this city to conduct, manage, or sell tickets for a lottery or gift enterprise, or be guilty of, or engage in any kind of fraudulent device or practice, for the purpose of selling or disposing of merchandise or goods of any description, with or without tickets numbered or marked for that purpose. Any person violating any of the provis-

Lottery enterprises; fraudulent devices, etc.

ions of this section shall, on conviction, be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Obtaining property under false pretenses.

SEC. 17. Any person who shall, within the limits of this city, obtain any goods, chattels or other property under false pretenses, or who shall enter into any public house, shop or place, and call for refreshments or other article or thing and receive the same and depart without paying or satisfying the owner thereof, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Refreshments.

Petit larceny.

SEC. 18. If any person shall be guilty of petit larceny within the limits of said city, he shall, upon conviction thereof, be fined in any sum not to exceed one hundred dollars, or be imprisoned in the city jail for a period of not to exceed one hundred days, or both.

Posting bills, etc., without permission.

SEC. 19. Any person who shall print, paint, write, mark, or in any way post up any notice, card, advertisement, or other device, upon any wall, fence, tree, post, building, or other property, or cause the same to be done without the permission of the owner or agent thereof, within the limits of said city, shall be liable to a fine not exceeding fifty dollars.

Defacing bills lawfully posted.

SEC. 20. Any person who shall, without authority, tear down or deface any ordinance, bill, notice, advertisement, or any other paper of a business or legitimate character, lawfully posted up within the limits of said city, within thirty days from the date of such paper, shall be liable to a fine not exceeding fifty dollars, or to imprisonment not exceeding twenty days for every such offense.

SEC. 21. Any person who shall sell, or expose for sale, any bad beef, pork, mutton, or other meat, stale or otherwise impure flour, meal, grain, or vegetables; or adulterated or unwholesome spirituous or malt liquors, or other beverage intended for drinking; or any other kind of unwholesome provision, preparation, condiment, or seasoning for meats or drinks, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment; and the court having jurisdiction may order such provisions or drinks to be destroyed.

Selling unwholesome food, etc.

SEC. 22. All persons owning swine are hereby forbidden to feed the same upon meat, blood or entrails in a putrid or decayed state, or upon other food calculated to engender disease in the flesh of such animals, under a penalty of not less than five nor more than one hundred dollars.

Feeding swine upon unwholesome food, etc.

SEC. 23. It shall be unlawful for the owner of any domestic fowls, such as turkeys, ducks, geese or chickens, to permit such fowls to trespass upon the premises of another person at any time between the first day of March and the thirty-first day of October, and any such owner, for permitting them to so trespass, shall, on conviction, be liable to a fine in any sum not exceeding ten dollars.

Fowls at large.

SEC. 24. Any person who shall be convicted of skating, hunting, fishing or any kind of sporting, or who shall keep open any bar, shop, store, or any other place to carry on any kind of business or amusement, or who shall participate in any kind of public amusement, or unnecessary business or labor, within the limits of said city, on the first day of the week, commonly called Sunday, shall be liable to a fine in any sum not ex-

Sabbath breaking.

ceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Profanity.

SEC. 25. Any person profaning the name of the Deity within the limits of said city, shall be liable to a fine not exceeding ten dollars, or to imprisonment not exceeding five days, or to both fine and imprisonment.

Exhibiting obscene literature, etc.

SEC. 26. No person shall:

First.—Offer for sale, sell, exhibit, pass, give or deliver to another any obscene, lewd, or indecent book, pamphlet, picture, card, print, paper, writing, mould, cast or figure, or have the same in his possession, unless it is shown that the possession is innocent or for a lawful purpose.

Indecent exposure, dress, language, exhibition, etc.

Second.—Circulate or distribute or cause to be circulated or distributed, any pamphlets, books, or circulars treating of or illustrating any of the diseases of the sexual organs.

Third.—Appear in a public place naked, or in an indecent or lewd dress.

Fourth.—Make any indecent or obscene exposure of his or her person, or urinate or stool in any place open to public view.

Fifth.—Indecently exhibit any horse, bull or other animal.

Sixth.—Be guilty of prostitution or any lewd, lascivious or other open obscene or indecent conduct.

Seventh.—Utter or speak any obscene or lewd language.

Eighth.—Exhibit or perform any indecent, immoral or lewd play or other representation.

Any person who shall violate any of the provisions of this section shall, upon conviction, be liable to a fine in any sum not to exceed one hundred dollars, or to imprisonment not to exceed

Penalty.

three months, or to both such fine and imprisonment.

SEC. 27. Any person who shall carry any slingshot or instrument of a similar character, shall, upon conviction, be liable to a fine not exceeding fifty dollars.

Dangerous  
weapon.

SEC. 28. No person shall swim or bathe in any of the waters within the limits of Salt Lake City, except in public or private bath houses, unless covered with a bathing suit so as to prevent any indecent exposure of person, under a penalty of not to exceed twenty-five dollars for each offense.

Bathing in  
waters in city  
limits.

SEC. 29. Whoever pursues, or advertises, in any manner, her vocation as a prostitute, or is guilty of prostitution, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding three months, or by both such fine and imprisonment.

Prostitutes ad-  
vertising voca-  
tion.

SEC. 30. Every person who employs any female to serve in the selling, giving away or other disposition or delivery of spirituous, vinous or malt liquors in any saloon or place in said city in which such liquors or any of them are so disposed of, or delivered to be drunk on the premises where so sold or otherwise disposed of, shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment, at the discretion of the court; and every female so employed and serving shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such

Employing fe-  
males in sa-  
loon, etc.

fine and imprisonment, at the discretion of the court.

Disorderly  
house.

SEC. 31. Any person who shall keep any ill-governed or disorderly house, or who shall suffer or permit any drunkenness, quarreling, fighting, unlawful games, or riotous or disorderly conduct whatever on his premises, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars for each and every offense.

Dance houses,  
etc.

SEC. 32. Any person who shall keep a dance house where lewd or disorderly persons assemble together for dancing, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars for each and every offense.

SEC. 33. Any person in this city :

House of ill-  
fame.

Residing in  
and resorting  
thereto.

First.—Who either keeps a house of ill-fame resorted to for the purpose of prostitution or lewdness; or wilfully resides in such house; or resorts thereto for lewdness;

Second.—Who is the owner of any building or tenement, the whole or any part of which is used for any of the purposes mentioned in the first subdivision of this section; or has control of such building or tenement as agent, guardian, or lessee of such owner, or as the agent of such guardian or lessee, and after notice of such improper use of such building or tenement shall fail to suppress the same by removing therefrom the occupants thereof; or,

Renting  
houses for  
such purposes.

Third.—Who lets any building or tenement knowing that the lessee intends using the same, or any part thereof, for any of the purposes mentioned in the first subdivision of this section; or harbors or keeps about his or her private premises any whoremaster, strumpet or whore, knowing the same to be guilty of following a lewd course of life therein;



Shall be liable, for such offense, to a fine in any sum not exceeding one hundred dollars, or to imprisonment for any term not exceeding three months, or to both such fine and imprisonment.

SEC. 34. In prosecutions under the second subdivision of Section 33 of this chapter, it shall be a sufficient defense if the defendant shows at the trial that he has diligently used the power which the law gives him to suppress the improper use of the building or tenement concerning which the charge is made. Defenses.

SEC. 35. No person shall, within the limits of this city, keep or maintain, or become an inmate of, or visit, or in any way contribute to the support of any place, house or room where opium is smoked, or where persons assemble for the purpose of smoking opium, or inhaling the fumes of opium, or where opium is sold for such purposes. Any person violating any of the provisions of this section shall be liable, for each and every offense, to punishment by fine in any sum not exceeding one hundred dollars, or by imprisonment for a period of not more than three months, or both such fine and imprisonment. Opium dens.

SEC. 36. If any person shall keep a house, shop, or any other place resorted to for the purpose of gambling, or permit or suffer any person in any house, shop or other place under his control or care, to play at cards, dice, faro, roulette, keno, or any other game for money or other property, or thing representing money, within the limits of said city, such offender, for such offense, shall be liable to a fine not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment. In a prosecution under this section, any person who has the charge of, or attends to, any such Keeping gambling houses, etc.

Gambling.

house, shop or place, may be deemed the keeper thereof; and any person renting out a house or place for the purpose of gambling, shall be liable to the penalties prescribed in this section.

SEC. 37. Every person who shall play at any game for money or other property, or thing representing money or other property, within the limits of said city, shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment, at the discretion of the court.

Vagrants; who are.

SEC. 38. Every person (except an Indian) without any visible means of living, who has the physical ability to work, and who does not, for the space of ten days, seek employment, nor labor when employment is offered him; every healthy beggar who solicits alms as a business; every person who roams about from place to place without any lawful business; every idle or dissolute person, or associate of known thieves, who wanders about the streets at late or unusual hours of the night, or who lodges in any barn, shed, shop, out-house, vessel, or place other than is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof; every lewd and dissolute person who lives in and about houses of illfame, and every common prostitute and common drunkard, is a vagrant, and punishable by imprisonment not exceeding three months.

Penalty.

Barbed wire fences.

SEC. 39. It shall be unlawful for any person to hereafter erect, or cause to be erected, or to maintain any barbed wire fence along or adjacent to any street within the limits of the city of Salt Lake; and any person so erecting, causing to be

erected, or maintaining any such fence, shall be deemed guilty of committing a nuisance, and, on conviction thereof, shall be fined in any sum not exceeding fifty dollars.

SEC. 40. Any person who shall, in the city of Salt Lake, ride or use a bicycle, tricycle, velocipede, or other riding machine or apparatus, in any of the streets, avenues, or other highways thereof, without having in connection therewith at all times a gong of sufficient sound to warn persons of its approach, and using the same in warning persons of its approach; and also whenever such bicycle, tricycle, velocipede, or other riding machine or apparatus, is used on any of the streets, avenues or highways of the city between sunset and sunrise, without a lighted lantern, which shall be so conspicuously placed thereon as to warn persons of its approach, shall, on conviction, be fined not more than one hundred dollars for each and every offense. Bicycles, etc.

SEC. 41. It shall be unlawful for two or more persons to engage in a fight within the limits of this city; and the persons guilty thereof shall, upon conviction, each be liable to be fined in any sum not exceeding fifty dollars. Fighting.

SEC. 42. Any person who shall, by riding or driving immoderately or recklessly, run any horse, mule or other animal, in any of the streets of this city, shall be liable to a fine in any sum not exceeding fifty dollars. Reckless driving.

SEC. 43. Any person who shall use any influence to entice or persuade any minor, male or female, under the age of thirteen years from his or her parents, guardians, or other person having charge of the same, without the consent of such parents, guardians, or other person, shall be liable Enticing minors from guardian, etc.

to a fine of not more than one hundred dollars, or to imprisonment not more than three months, or both.

Discharging  
guns.

SEC. 44. Any person discharging guns or pistols within the limits of the city, between the hours of sunset and sunrise, or on the Sabbath day (except in self-defense, or in the case of any civil officer in the discharge of his duty), shall be liable to a fine of not more than ten dollars for every such offense.

Firearms.

SEC. 45. Any person discharging firearms within the limits of the city, without a lawful breastwork or battery for the protection of the citizens, shall be liable to a fine of not more than twenty-five dollars for every such offense.

Breastwork  
defined.

SEC. 46. A breastwork or battery, for target shooting, to be deemed lawful, shall be a wall eighteen inches thick, six feet wide and six feet high in the back, with side wings one foot thick, each extending two feet, increasing flaringly to the front, and six feet high, of adobes, or mud, or its equivalent of other material.

Driving sheep  
herds through  
streets.

SEC. 47. Every person who drives any herd of sheep, consisting of fifty or more, over or upon any of the public streets of this city, except by the permission and according to the direction of the City Marshal first had and obtained, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars.

Delivering  
articles to  
prisoners.

SEC. 48. Any person who shall take into the city prison, or deliver to any prisoner therein confined, or in custody of any officer of such prison, any weapon, tool, intoxicating drink, or other article, or attempt so to do, without the consent of the officer in charge, shall, upon conviction, be liable to a fine of not to exceed twenty-five dollars.

SEC. 49. Any person who shall take down any fence, or let down any bars, or open any gate so as to expose any enclosure, or ride, drive or walk across, or lodge, camp or sleep upon, the premises of another, without permission of the owner or occupant thereof, shall be liable to a fine in any sum not exceeding one hundred dollars.

SEC. 50. In any case where a party is sentenced to pay a fine, or fine and costs, under an ordinance of the city, the court may direct that he stand committed until the fine or the fine and costs are paid, not to exceed one day for each dollar of fine or fine and costs.

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## CHAPTER XXXIV.

### OF PROCEDURE.

#### 1. Proceedings to conform to act of Legislature.

SECTION 1. In all cases of prosecution for the violation of any of the ordinances, rules or regulations of the city, the procedure shall conform substantially to the requirements of the act of the Territorial Legislature, approved March 13th, 1884, and entitled, "An Act revising the proceedings in justices' courts; and providing for appeals to district courts in criminal cases," and to all acts amendatory thereof.

Passed February 14th, A. D. 1888.

FRANCIS ARMSTRONG, *Mayor*.

Attest:

HEBER M. WELLS, *City Recorder*.



TERRITORY OF UTAH, }  
Salt Lake City. } ss.

I, Heber M. Wells, Recorder of Salt Lake City, do hereby certify that the foregoing is a full, true and correct copy of an ordinance entitled "An Ordinance Revising and Arranging the Ordinances of Salt Lake City," passed by the City Council of said city, February 14th, A. D. 1888, as appears of record in my office.

In Testimony Whereof I have hereunto set my hand and affixed the Corporate Seal of Salt Lake City, this 30th day of June, A. D. 1888.

*Seal.*

HEBER M. WELLS,  
*City Recorder.*

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